



# COUNCIL POLICY FOLDER

City of Indianola, Iowa

## Table of Contents

<b>COUNCIL POLICY FOLDER .....</b>	<b>5</b>
Policy Folder .....	5
 <b>BOARDS AND COMMISSIONS .....</b>	 <b>6</b>
Boards and Commissions Membership .....	6
Drug Abuse and Alcohol Commission .....	7
Membership List .....	7
 <b>COUNCIL/MAYOR .....</b>	 <b>8</b>
Agenda .....	8
Mayoral Expenditures Budget .....	8
Orientation .....	8
CITY COUNCIL RULES OF PROCEDURE .....	9
QUORUM .....	9
AGENDA .....	9
LENGTH OF MEETING .....	9
CONDUCT OF BUSINESS .....	10
Order of Business .....	10
Special Meeting .....	11
Closed Session: Executive Session Policy .....	11
Exceptions to the Open Meetings Law .....	11
Electronic Meeting .....	11
Work Session Meeting .....	12
DECORUM DURING COUNCIL MEETINGS .....	12
Requirements .....	12
DUTIES OF PRESIDING OFFICER .....	12
APPROVAL OF MINUTES .....	13
CORRECTION OF MINUTES .....	13
RULES OF DEBATE .....	13
Presiding Officer .....	13
Council Member .....	13
ADDRESSING COUNCIL FROM FLOOR .....	13
Securing Permission to Speak .....	14
Individuals .....	14
Spokesperson for Group Presentations .....	14
Open Forum .....	14
Public Hearings .....	14
PREPARATION OF THE MINUTES .....	15
Method of Keeping Minutes .....	15
Remarks of Council Members Entered in Minutes .....	15
Delivery of Minutes .....	15
PROCESSING COUNCIL MAIL .....	15
SPECIAL COMMITTEES .....	15
PREPARATION AND REVIEW OF ORDINANCES, RESOLUTIONS AND CONTRACT DOCUMENTS .....	15
COUNCIL ACTION .....	16
Procedure for Council Action .....	16
Disqualifications/Abstentions .....	16

Vote Required .....	16
a. Ordinances, Amendments and Resolutions .....	16
b. Motions .....	16
Motion to Reconsider .....	17
Motion to Table .....	17
Motion to Postpone .....	17
Tie Vote .....	18
INTERPRETATION OF THE RULES OF PROCEDURE .....	18
REPORTING .....	18
MISCELLANEOUS .....	18
Workplace Harassment and Violence Prevention .....	19

## **EMPLOYEES ..... 20**

Employee Recognition Policy .....	20
Personnel Manual .....	21

## **FINANCIAL POLICIES ..... 22**

Annual Audit Policy .....	22
<i>Adopted by City Council on April 18, 2005.</i> .....	22
Accounting System Policy .....	23
Capitalization Thresholds for Financial Reporting .....	25
Cash Management Policy .....	26
Claims .....	29
Financial Management Policy .....	29
Section 1- General Policy .....	29
Section 2 - Revenue Policies .....	29
General Revenue Policies .....	29
Urban Renewal - Tax Increment Financing Policy .....	30
Municipal Enterprises .....	31
Section 3 - Reserves and Contingencies .....	31
General Fund Balance Policies .....	32
Equipment Replacement Reserve Fund .....	32
Capital Project Funds .....	33
GASB 54 .....	33
Section 4 - Operating Expenditure Policies .....	33
Section 5 - Capital Improvements Planning .....	34
Section 6 - Debt Management Policies .....	34
Section 7 - Financial Reporting and Accounting .....	36
Section 8 - Investment Policies .....	36
Local Purchase Policy .....	40
Purchasing Policy .....	41
Mileage Rate Reimbursement .....	46
Payment of Services by Credit Card Policy .....	47
Refunds of Payments Made by A Credit Card .....	47
Procurement Card Policy .....	48
Returned Checks .....	55
Continuing Disclosure Policy .....	56
Public Purpose Policy .....	76
Surplus Property Disposal Policy .....	77

## **General/Miscellaneous Policies ..... 81**

City Policy on Lobbying .....	81
City-Wide Clean Up .....	82

Use of North Council Chambers .....	83
Policy For Examination Or Copying Of Records .....	84
Event Application Policy .....	87
<b><u>Community Development Policies .....</u></b>	<b><u>90</u></b>
TIF Program Policy .....	90
Dangerous & Dilapidated Program .....	94
Permit Fees for Local Government Entities .....	95
Rezoning .....	96
Revolving Loan Fund Program Policy .....	97
Eligibility Criteria .....	97
Small Wireless Facility .....	98
Voluntary Annexations .....	110
<b><u>Information Technology and Public Relations Policies .....</u></b>	<b><u>111</u></b>
Government Access Channel Policy .....	111
Web Site Privacy Statement & Disclaimer .....	112
<b><u>Sanitary Sewer Policies .....</u></b>	<b><u>114</u></b>
Infiltration and Inflow Policy .....	114
Excessive Sewer Policy .....	116
Sewer Policy Statement .....	117
Shared Sewer Service Policy .....	118
<b><u>Parks and Recreation Department Policies .....</u></b>	<b><u>121</u></b>
Roadside Trail Development Policy .....	121
<b><u>Public Safety Policies .....</u></b>	<b><u>122</u></b>
Animal Control .....	122
Storm Watch & Warnings .....	123
EMS Billing Write off Policy and Payment Plan .....	124
<b><u>STREETS, ALLEYS, AND PARKING LOTS .....</u></b>	<b><u>125</u></b>
Addresses on Street Curbs .....	125
Alleys and Streets - Sale Of .....	125
Alley Policy .....	126
Alleys - Hard Surfacing .....	126
Alley Maintenance .....	126
Hard-Surfaced Alleys .....	126
Rocked Alleys .....	126
Dirt Alleys .....	127
Calcium Chloride (Dust Control) .....	128
Parking Lot Maintenance .....	129
Policy for Banners in the Public Right-of-Way .....	130
Sidewalk Agreements .....	133
Snow and Ice Removal Policy .....	134
Stop Sign & Speed Zone Change Request Policy .....	153

<b>STREET CONSTRUCTION POLICIES .....</b>	<b>156</b>
Asphalt Overlays .....	156
Concrete Street Replacement .....	156
Non-TEA-21 Streets .....	158
TEA-21 Streets .....	158
Streets Funded by Alternative Revenue Sources .....	158
Sidewalk Installation .....	159

## **COUNCIL POLICY FOLDER**

### **Policy Folder**

Policy folder be established and maintained in the Clerk's Office. The policy manual should be reviewed at least in the even calendar years.

*Adopted by City Council on February 4, 1974*

## **BOARDS AND COMMISSIONS**

### Awards

The City Council will award a plaque to those members of a Board or Commission who complete at least one full term.

### **Boards and Commissions Membership**

The intent of this policy is to provide a process for selecting citizens interested in serving on a City board and/or commission. The City of Indianola desires to have diverse representation on its boards and commissions to reflect the age, race/ethnicity and gender (in accordance with Iowa Code 69.16A) of the Indianola community.

The Mayor makes the following appointments with the approval of the City Council:

*IMU Board of Trustees (6 years)*

*Memorial Aquatic Center Commission (3 Years)*

*Park and Recreation Commission (3 years)*

*Non-Judicial Human Relations Commissions (3 years)*

*Civil Service Commission (4 years)*

*Library Board of Trustees (6 years)*

Greater Des Moines Convention Center  
and Visitors Bureau Representative

The City Council makes the following appointments:

*Board of Adjustment/Appeals (5 years)*

*Fine Art and Beautification Commission (3  
years)*

Landfill Board

YMCA Steering Committee

*Sustainability Committee*

BRAVO Greater Des Moines Representative

City Council Administrative & Policy  
Committee

*Planning and Zoning Commission (5 years)*

CIRTPA/MPO Representative

City Investment Committee

*Hometown Pride Committee*

Metro Advisory Committee

WCEDC Board

Those appointments in *italics* are open to citizens. Others are a designated governmental appointee.

The following are procedures for appointing/reappointing a citizen:

- Boards and Commission openings will be listed six months in advance of a vacancy on the City's web site by the City Clerk.
- Interested citizens should complete a volunteer application form by the posted deadline. The City will keep applications on file until December 31<sup>st</sup> of each year.
- The names of the citizens who express interest in serving on the Boards and Commissions appointed by the Mayor will be forwarded by the City Clerk to the Mayor for his/her review. The Mayor will consider the information provided on the application and make his/her recommendation to the City Council Administrative & Policy Committee for their consideration and recommendation to the Mayor and City Clerk.
- The names of citizens who express interest in serving on the Boards and Commissions appointed by the City Council will be forwarded by the City Clerk to the City Council Administrative & Policy Committee for their review.
- The name of the citizen recommended for the Board or Commission will be placed on the agenda for Council approval.

The City Council Administrative & Policy Committee will also bring forward appointments to the Landfill Board, CIRTPA, MPO, YMCA, Investment Committee, Sustainability Committee, Hometown Pride, BRAVO, Metro Advisory, WCEDC.

Factors that may be consider when recommending appointments include:

- What is the current gender balance of the Board/Commission?
- The area of town in which a candidate resides, are all areas represented?
- Are there too many members with similar occupations, should other occupations be represented?
- Are there potential conflicts of interests if a certain candidate were chosen to serve?
- What expertise and/or experience does the candidate bring to the Board/Commission?
- Does the candidate serve on more than one board/commission?
- How long has the person served on the board/commission?
- If they are currently serving on a board/commission how effective have they been in serving on the board/commission?
- If they are currently serving on a board/commission, has their attendance been acceptable?
- Only one member of an immediate family i.e. husband, wife, father, mother, son, daughter, brother, sister, may be on the same board or commission at a time.
- City employees may serve as members on City boards and commissions that are established by ordinance. However, City employees shall not serve on boards/commissions that govern their respective departments. City employees will be subject to the normal selection procedure which provides mayoral appointment and council approval. The council reserves the right to approve all appointments and shall not approve City employees when potential conflicts of interest may be present.

**Attendance:** Attendance is critical to the successful functioning of a board/commission. Staff shall monitor attendance to assure members are participating to an acceptable level. If attendance problems occur, staff shall inform the board/commission chair and/or the Mayor and City Council to consider action to assure the board/commission has active/participating members.

*Adopted by City Council on February 4, 1974, amended August 3, 1987; amended August 1, 1988; amended June 13, 2018.*

## **Drug Abuse and Alcohol Commission**

The Council has established through Ordinance 2-11 the Indianola Drug Abuse and Alcohol Commission and has limited its membership to residents of the City of Indianola. It acknowledges however, that additional assistance can prove very helpful and therefore provides for non-resident consultants/advisors to work with the Commission in various related areas. The consultants/advisors shall assist the Commission on policy matters but shall not have any voting authority. This commission shall select its consultant/advisors subject to the approval of the Mayor.

*Adopted by City Council on July 6, 1987.*

## **Membership List**

A listing of commissions and board members, including the expiration date of their appointments shall be prepared and provided at the first annual Council meeting in January.



## **COUNCIL/MAYOR**

### **Agenda**

The Council agreed that it be established as Council policy that any request for funds from the City be in writing before being placed on the Council agenda, otherwise it would be considered only under "other business."

*Adopted by City Council on February 22, 1977.*

### **Mayoral Expenditures Budget**

Expenditures to be charged to the Mayoral budget are defined as those specifically related to the duties and functions of the Mayor's office as opposed to those of a city function. Expenses, other than mileage, shall be reimbursed when performed within the corporate limits of the City of Indianola.

*Adopted by City Council on April 20, 1981.*

### **Orientation**

After election and prior to taking office, newly-elected council members shall be invited to attend an orientation meeting with the City Manager and/or other appointed staff members for the purpose of an explanation of how the City functions, tour of the facilities, and an update of the financial condition of the City.

*Adopted by City Council on February 4, 1974.*

## **CITY COUNCIL RULES OF PROCEDURE**

The Council shall determine the rules of its own proceedings by resolution, and the Clerk shall keep such rules on file for public inspection. Such rules shall be reviewed at least annually.

### **QUORUM**

Four (4) out of the total six (6) members of the City Council constitute a quorum to do business. When there is no quorum, the Mayor, Mayor Pro Tem, or any other Council Member shall adjourn the meeting. If no Council Member is present, the City Clerk shall adjourn the meeting.

### **AGENDA**

All written petitions, communications, and other matters to be submitted to the City Council for inclusion in the agenda packet for consideration at a scheduled regular, special or work session meeting should be delivered to the City Clerk no later than the time established by current administrative policy. The City Manager, in consultation with the City Clerk, will establish the agenda and the order of the agenda with the exception of items added by Council Member(s) under the following paragraph. The Mayor may add to the agenda.

A Council Member may request the City Manager to add an item to the agenda only with approval by council majority. Once a requested item is added to the agenda, only the requesting Council Member(s) or City Council may remove it.

The City Council shall have the authority to delete items from the agenda and change the order of items on the agenda.

The City Manager and the City Clerk shall compile the agenda, listing all matters to be considered by the Council according to the order of business, lettering and/or numbering each item consecutively. A copy of the agenda, complete with all accompanying staff reports and other background materials, shall be known as the agenda packet. The agenda packet for any regular council meeting shall be delivered to each Council Member, the Mayor, City Attorney, and City Manager in accordance with Iowa law governing open meetings. All attempts shall be made to ensure the agenda packet is published and delivered no later than the Thursday preceding the meeting. The agenda packet for any special or work session council meeting shall be distributed to each Council Member, the Mayor, City Attorney, City Manager, and department heads in accordance with Iowa law governing open meetings (24 hours in advance of the meeting). It is strongly recommended that questions concerning the minutes of a meeting, the bill list, an agenda item or any supporting documentation for an agenda item or items be submitted by phone, e-mail or in person to the City Manager for research and/or explanation or correction prior to 12:00 PM (noon) on the day of the meeting. The agenda with supporting material will be posted to our web site no later than 24 hours prior to the scheduled meeting. A copy of the agenda only will be available in the Council Chambers during the meeting.

### **LENGTH OF MEETING**

The length of any meeting shall be limited to one and one half hours. This limitation may be extended for any particular meeting by a super majority (2/3's) vote to suspend the rules and extend the meeting by the time required. Any business remaining to be acted upon by the Council after the time limit shall be postponed to the next scheduled meeting.

## **CONDUCT OF BUSINESS**

### **Order of Business**

The recommended order of business for a regular council meeting shall be as follows: Call to

- Order
- Pledge of Allegiance Roll
- Call
- Public Comment
- Agenda Approval
- Consent Agenda:
  - 1. Bill Lists and Payroll
  - 2. Approval of Minutes of prior council meetings
  - 3. Setting dates for future public hearings
  - 4. Approval of liquor, cigarette license applications
  - 5. Approval of Pay Estimates, Change Orders, Certificates of Completion, Releases of Retainage
  - 6. Other business considered by the City Manager to be simple and non-controversial
  - 7. Salary approvals
- Council Reports
- Mayor's Report
- Public Consideration
  - A. Old Business
  - B. New Business
- Other Business
- Adjournment

The City Manager, prior to the council meeting, and Mayor shall have the authority to vary from this recommended schedule to expedite the conduct of business or accommodate persons having business to be considered by the Council.

## **Special Meeting**

Special meetings will be set by the Mayor or at the request of four (4) Council Members.

## **Closed Session: Executive Session Policy**

City Council meetings will be open unless a closed session or exempt meeting is allowed by law. The City Council may hold a closed session or exempt meeting in the situations stated below.

## **Exceptions to the Open Meetings Law**

Closed sessions take place as part of an open meeting. The item for discussion in the closed session will be listed as part of the tentative agenda on the public notice. The motion for a closed session, stating the purpose for the closed session, will be made and seconded during the open meeting. A minimum of two-thirds of the City Council, or all of the City Council members present, must vote in favor of the motion on a roll call vote. Closed sessions will be recorded and have detailed written minutes maintained by the City Clerk and/or City Manager. Any action on matters discussed in the closed session will be taken in an open meeting.

The minutes and the audio recording will restate the motion made in the open meeting, the roll call vote, the members present, and the time the closed session began and ended. The audio recordings and the written minutes will be kept for one year from the date of the meeting. Real estate related minutes and tapes shall be made public after the real estate transaction is completed.

The detailed minutes and audio recordings will be secured (via appropriate means including electronic) and will not be public records open to public inspection. The minutes and audio recordings will only be available to the City Council members, other City officials who were entitled to be at the Executive Session, or opened upon court order in an action to enforce the requirements of the open meetings law.

### **Procedure for City Council members to listen/view of closed session:**

- Submit a request to the City Clerk, City Attorney, and City Manager.
- Arrangements will be made to review the minutes and audio recording; and
- A log will be maintained of access to minutes and audio recording.

## **Electronic Meeting**

(Reference Code of Iowa §21.8)

1. A governmental body may conduct a meeting by electronic means only in circumstances where such a meeting in person is impossible or impractical and only if the governmental body complies with all of the following:
  - a. The governmental body provides public access to the conversation of the meeting to the extent reasonably possible. A meeting by electronic means may be conducted without complying with public access requirements if conducted in accordance with all the requirements for a closed session contained in Code of Iowa §21.5.
  - b. The governmental body complies with Code of Iowa §21.4. For the purpose of this paragraph, the place of the meeting is the place from which the communication originates or where public access is provided to the conversation.
  - c. Minutes are kept of the meeting. The minutes shall include a statement explaining why a meeting in person was impossible or impractical.

## **Work Session Meeting**

The Council may conduct work session meetings or study sessions on matters which are expected to come before the Council for formal action at a regular meeting or otherwise need study by the Council. Items to be considered will be placed on an agenda as required by the open meetings statutes.

At work session meetings the Council will receive information and presentation of issues from the City Manager and City staff. Council may ask questions and may request that certain information be provided or issues be addressed when items are considered further at another work session meeting or a regular or special meeting of the Council. Council may direct that matters under consideration be brought forward for formal action at a regular or special meeting, that further study be conducted if appropriate, that matters under consideration not be pursued further (except for matters requiring a public hearing), or that modifications be made before a matter is considered further.

Final action on items is not taken during work session or study sessions. No formal vote of the Council in favor or against any work session or study session agenda item may be taken.

Work sessions are not public hearings. On public hearing items, public testimony will be taken before Council action on the item at a regular or special meeting. No member of the public or interested party has the right to make a presentation or address the Council on an item under consideration in a work session or a study session. Questions may be directed by the Council to a member of the public or another interested party or, in appropriate circumstances, a brief presentation may be permitted by a member of the public or another interested party on an agenda item or a particular question related to an agenda item. The Council may limit or end the time for such response to questions or presentation.

## **DECORUM DURING COUNCIL MEETINGS**

### **Requirements**

While the Council is in session, all persons shall preserve order and decorum. Any person that refuses to abide by the rules shall be asked to leave the Council Chambers.

Every member of the public and every Council Member desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine comments to the question under debate, avoiding all indecorous language and references to personalities and abiding by the following rules of civil debate:

- We may disagree, but we will be respectful of one another.
- All comments will be directed to the issue at hand.
- Personal attacks will not be tolerated.

## **DUTIES OF PRESIDING OFFICER**

The Mayor (or in the Mayor's absence, the Mayor Pro Tem) shall be the presiding officer of the Council Meetings. In the absence of the Mayor and the Mayor Pro Tem, the City Clerk shall call the council meeting to order, whereupon a temporary presiding officer shall be elected by the members of the Council who are present. Upon the arrival of the Mayor or the Mayor Pro Tem, the temporary presiding officer shall relinquish the chair upon the conclusion of the matter of business before the Council. The presiding officer shall preserve strict order and decorum at all meetings of the Council, announce the Council's decisions on all subjects, and decide all questions of order. If there is an appeal to a decision of the presiding officer, the Council as a whole shall decide the question by majority vote. The presiding officer's name shall be called last on any question in voting.

## **APPROVAL OF MINUTES**

The minutes of the preceding council meeting may be approved without being read aloud, provided that the City Clerk has previously furnished each member of the Council with a copy of the minutes and that a majority of the Council has not requested such a reading.

## **CORRECTION OF MINUTES**

When a Council Member wishes to correct the minutes, that Council Member should contact the City Clerk in advance of the meeting with the correction. The City Clerk will then verify the correction by listening to that meeting's audio recording. Upon verification of an error in the minutes, the City Clerk, in coordination with the City Manager, provide the corrections to the Council in advance of the meeting, immediately prior to the meeting or during the meeting. If time constraints prevent this procedure, the Council should continue the approval of the minutes to the next meeting, and direct the City Clerk to verify the error.

## **RULES OF DEBATE**

### **Presiding Officer**

The Mayor as presiding officer may debate, but may not make a motion. The major functions of the Mayor during council sessions are generally to:

1. Call the meeting to order
2. Announce the order of business as provided in the agenda
3. State motions on "the table"
4. Put motions to a vote, when appropriate
5. Generally prevent irrelevant or frivolous debate or discussion
6. Maintain order and decorum
7. Otherwise enforce the Council's rules and appropriate parliamentary procedures

The Mayor Pro Tem as presiding officer may debate, vote as a regular Council Member and retains all the powers as a Council Member. The presiding officer is subject to the limitations of debate that are imposed on all Council Members.

In the absence of the Mayor or Mayor Pro Tem, the City Clerk shall call the meeting to order and a temporary presiding officer shall then be selected by the Council Members present.

### **Council Member**

Every Council Member desiring to speak shall address the presiding officer, and upon recognition by the presiding officer, shall confine comments to the question under debate. A Council Member, once recognized, shall not be interrupted except according to rules of parliamentary procedure (e.g., for a point of order, parliamentary inquiry, question of privilege or appeal of presiding officer's procedural ruling).

## **ADDRESSING COUNCIL FROM FLOOR**

### **Securing Permission to Speak**

Any persons desiring to address the Council are required to follow the procedures as posted in Council Chambers and shall complete a public comment card indicating the agenda item on which they wish to comment, or the topic for items not on the agenda. Remarks should be directed to the matter being considered and toward the City Council, not City Staff.

### **Individuals**

Persons addressing the Council will stand at the podium, give their full name and address in a clear and audible tone of voice for the record. Citizens shall be limited to three minutes speaking time per item, unless additional time is granted by council majority. Total citizen input on any subject under Council consideration can be limited to a fixed period by the presiding officer. A majority vote of the Council may extend or decrease the time limitations on this rule. All remarks shall be addressed to the Council as a whole and not to any individual member. Without the permission of the presiding officer or Council majority only Council Members and the person addressing the Council shall be permitted to enter into any discussion.

### **Spokesperson for Group Presentations**

Organized groups that wish to make a presentation longer than the time allowed will be required to contact the City Clerk prior to the meeting.

### **Open Forum**

A maximum of twenty (20) minutes will be set aside for members of the public to address the Council on any item not on the agenda and on any subject over which the Council has the authority to act.

- Presentations will be limited to three (3) minutes to a maximum of (5) minutes.
- Preference will be given to individuals who did not speak at the previous council meeting's Open Forum.
- Individuals may not speak more than once during Open Forum.
- All speakers must address the entire Council and will not be permitted to engage in dialogue.

Any individual addressing the Council will be asked by the presiding officer to clearly state his/her name and address prior to speaking before the Council or minimally during or after his/her presentation to the Council so that his/her name may be accurately recorded in the minutes of the meeting.

Generally, matters presented during the Open Forum which require further investigation or information shall be referred to City staff, and if Council determines that action is required, the item may be placed on a future agenda.

### **Public Hearings**

Interested persons or their authorized representatives may address the Council in regard to public hearing matters under consideration.

For land use application public hearings, the applicant presentation shall be limited to a maximum of ten (10) minutes; all other individuals shall be limited to a maximum of five (5) minutes.

For appeals public hearings, the appellant shall be limited to a maximum of ten (10) minutes; all other individuals shall be limited to a maximum of five (5) minutes.

After a motion is made and seconded by a Council Member following a public hearing on the matter so moved, further discussion from the public on this matter will be denied, except upon the request of a Council Member through the presiding officer.

## **PREPARATION OF THE MINUTES**

### **Method of Keeping Minutes**

The minutes of the Council shall be prepared at the direction of the City Clerk and shall be recorded in a book or file kept for that purpose, with a record of each particular type of business transacted by the Council set off in paragraphs with subheadings. The minutes must contain only a record of such business as was actually passed upon by a vote of the Council and shall not be required to contain a verbatim transcript of the proceedings. A record shall be made of the names of persons addressing the Council, the title of the subject to which their remarks relate and whether they spoke in support of or in opposition to a matter.

### **Remarks of Council Members Entered in Minutes**

A Council Member may request, through the presiding officer, the privilege of having an abstract of that member's statements on any subject under consideration by the Council entered in the minutes. If the Council consents, such statements shall be entered in the minutes.

### **Delivery of Minutes**

The City Clerk shall cause a copy of the minutes to be forwarded to the Mayor and each Council Member and department head, typically delivered with the agenda packet for the next regular meeting.

## **PROCESSING COUNCIL MAIL**

The City Clerk, working with the City Manager, is authorized to receive and review all mail generally addressed to the City Council or Mayor. All correspondence not requiring Council action will be acted upon between council meetings and referred to City staff if appropriate. Action taken on these communications will later be reported to the City Council.

## **SPECIAL COMMITTEES**

Unless otherwise specified by City Code or Statute, the City Council may create and appoint advisory or ad hoc committees consisting of Council Members, City staff and/or private citizens, as deemed desirable and necessary to assist and advise the City Council in its work.

## **PREPARATION AND REVIEW OF ORDINANCES, RESOLUTIONS AND CONTRACT DOCUMENTS**



All ordinances, resolutions and contract documents to be presented to the Council shall first be approved as to form and legality by the City Attorney or an authorized representative. When substantive matters of administration are involved, the ordinance, resolution, or contract shall also be examined for administration by the City Manager, the head of the affected department, or an authorized representative of the City Manager.

## **COUNCIL ACTION**

(Reference Code of Iowa §380.3, 380.4)

### **Procedure for Council Action**

All Council Members shall vote by a roll call vote. The roll call shall be taken in the following order: the Council Member sitting to the left of the Council Member who made the motion, preceding around the table to the Council Member who made the motion. All ordinances, resolutions and other matters or subjects requiring action by the Council must be introduced and sponsored by a Council Member, by motion duly made and seconded. Debate shall not be permitted on a motion until it is seconded. After the vote has been called, there will be no further discussion or debate, except that members of the Council may be permitted by the presiding officer to explain their votes. All ordinances may be introduced and passed by reading the title only. Ordinances shall be read in full only when requested by a majority of the Council.

### **Disqualifications/Abstentions**

All members present at any meeting may disqualify themselves or abstain from voting, in which case the disqualification shall be publicly declared and a record made thereof.

The City Attorney is available to help Council Members decide if they should declare a disqualification on any issue. In these or other instances Council Members may choose to use the phrase, "....to avoid the appearance of impropriety."

### **Vote Required**

(Reference Code of Iowa §380.4)

A City Council shall exercise a power only by the passage of a motion, a resolution, an amendment, or an ordinance. (Code of Iowa §364.3)

#### **a. Ordinances, Amendments and Resolutions**

Passage of an ordinance, amendment, or resolution requires a majority vote of all of the members of the Council unless otherwise required by statute (i.e., passage of a Resolution of Necessity in final form). A proposed ordinance or amendment must be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed, unless this requirement is suspended by a vote of not less than three-fourths of all the members of the Council. If a proposed ordinance, amendment or resolution fails to receive sufficient votes for passage at any consideration, the proposed ordinance, amendment or resolution shall be considered defeated (Code of Iowa §380.3). If the rule requiring three separate readings is suspended and the proposed ordinance fails to pass by the required three-fourths vote, the proposed ordinance will be placed on the agenda for the next regular meeting of the Council.

#### **b. Motions**

Passage of a motion requires a majority vote of a quorum of the Council.

Pursuant to Code of Iowa §380.4, “*all of the members of the Council*” refers to all of the seats of the Council including a vacant seat and a seat where the member is absent, but does not include a seat where the Council Member declines (abstains) to vote by reason of a conflict of interest. A conflict of interest is defined as “a direct relationship or pecuniary interest in a matter.” However, if a Council Member declines (abstains) to vote for any other reason, that Council Member’s seat will be included in “*all of the members of the Council*.”

### **Motion to Reconsider**

A motion to reconsider may be made by any Council Member on the prevailing side and must be made at the same meeting as the original action. The motion needs a second. It is debatable, if the original action it reconsiders was debatable. The motion requires a majority vote to adopt and cannot be reconsidered.

### **Motion to Table**

The council meeting agenda is generally modified during a council meeting when voting on the “Agenda Approval.” A motion to table an agenda item during a council meeting can only be used for a reason of urgency such as a Council Member or public participant arriving late, or needing to leave early and requesting an item be moved forward. A motion to table, for a *reason of urgency*, will only bring forward the next agenda item. If more than one item needs to be tabled before reaching the item in question, a motion to table several items at once could be made (i.e., “I move to table Items 8 through 15 in order to proceed with Item 16.”). A motion to table requires a second, is not debatable (the chair may ask the maker of the motion to state their reason for tabling the motion), is not amendable, requires a majority vote for passage and, if adopted, cannot be reconsidered. The tabled item(s) may then be taken from the table by motion, second, and a majority vote as soon as the interrupting issue is disposed of. A motion to table should not be used to postpone an agenda item, to limit public debate, or to suppress a minority of the Council.

Items or motions that have been tabled, placed in the care of the City Manager or City Clerk, are not automatically placed on the agenda for the next meeting. If not taken from the table in the meeting at which tabled, there will be a notation made in the meeting’s minutes that the item(s) or motion(s) have been tabled. Council Members interested in taking action on a tabled item or motion from the previous meeting must request that the item or motion be placed on the agenda a minimum of 48 hours prior to the next council meeting.

If a Council Member wishes to take action on a tabled item or motion during the meeting at which the item or motion had been tabled, the Council Member must bring back the item or motion by moving to “take (the item or motion) from the table.” The motion to “take from the table” needs a second, is not debatable and requires a majority vote. If an item or motion is not taken from the table during the meeting at which it was tabled or by the close of the next regularly scheduled council meeting, the item or motion dies.

### **Motion to Postpone**

Postponing an item or a motion to a specific date and time ensures that the item or motion will be on the agenda at the adopted date and time. Any item or motion which is to be considered at the next meeting should be postponed to that meeting rather than tabled.

## **Tie Vote**

When a tie vote occurs, the motion is lost.

## **INTERPRETATION OF THE RULES OF PROCEDURE**

The City Attorney shall be considered the final authority on any questions regarding the application or interpretation of the rules and procedures. In the absence of the City Attorney, the City Manager shall be considered the final authority on the rules of procedure for the conduct of City Council business.

## **REPORTING**

In accordance with City Code, the chain of command and reporting structure for the organization is as follows:

The City Council oversees the following:

- City Attorney
- City Clerk
- City Manager
- City Treasurer

The City Manager oversees all other city employees. His/her direct reports are as follows:

- Finance Director
- HR Director
- Police Chief
- IT Director
- Park & Rec. Director
- Street Department Superintendent
- Wastewater Superintendent
- Fire Chief
- Community & Economic Development Director

With the exception of City Attorney, City Clerk, City Manager, & City Treasurer as designated above, elected officials including the Mayor, exercise no power over city employees. It is not the duty of the elected officials to involve themselves in employee matters. Should elected officials be contacted regarding an employee matter, he/she shall refer the concern to the City Manager.

When contacted by a constituent regarding any city concern/complaint, elected officials shall contact the City Manager so that appropriate staff can be involved in the process. If a personal visit is requested by the constituent, no elected official should make this visit without a staff person from the appropriate department.4/9/20194/9/20199/9/2020

## **MISCELLANEOUS**

Unless otherwise provided for in these Rules of Procedures, all other City Codes and adopted City policies shall govern.

## **Workplace Harassment and Violence Prevention**

The purpose of this policy is to maintain a professional workplace that is as free as possible of harassment and violence and to provide a reporting system. For this policy, the definition of harassment and violence shall include, but not be limited to: escalating harassment, threats, repeated inappropriate workplace language, physical violence, hostile behavior, stalking, intimidation, property damage, and other similar behaviors that severely disrupt an employee's ability to carry out their assigned duties.

### **A. Potential Violators**

No employee, city official, or member of the general public, through the course of their employment, term of office, appointment, or other interactions with City employees conducting official City affairs, shall harass or engage in violent behavior against employees of the City.

### **B. Reporting Procedure**

Employees should report work-related incidents, from any source, to their immediate supervisor and to the Director of Human Resources. The Director of Human Resources shall document the alleged incident and inform the City Manager of the allegation, or, if the alleged incident involves the City Manager, the City Attorney.

The Respective Manager (or, if appropriate, the City Attorney) and Director of Human Resources shall investigate the alleged incident. Upon finding that harassment or violence occurred, they shall:

- Impose appropriate disciplinary action if involving another City employee
- Report the incident to the Mayor if involving the City Manager
- Report the incident to the City Attorney and Mayor if involving a Council or Trustee Member
- Report the incident to the City Attorney and Mayor Pro Tem if involving the Mayor
- Report the incident to the City Attorney if involving a member of the general public. The City Attorney shall then determine appropriate legal actions and advise the Council or Trustees if additional legal action is warranted

If the Mayor or Mayor Pro Tem are notified of an incident, they shall work with the City Attorney or other legal counsel to investigate, arbitrate, or otherwise dispose of the incident in a manner that best represents the public's interest and, upon its disposal, inform the City Council or Trustees.

### **C. Results**

The City employee behavior that violates this policy may be subject to disciplinary action under the City's employment policies. Appropriate legal action may be imposed upon the general public or other non-employee public officials who violate this policy.

Nothing in this policy precludes the City from applying additional personnel policies for specific incidents, such as sexual harassment or discrimination, where applicable.

*Adopted by City Council on August 4, 2008.*

## **EMPLOYEES**

### **Employee Recognition Policy**

The city acknowledges the importance of recognizing employees, elected and appointed officials during certain occasions and therefore the following policy shall be followed:

1.     Awards Banquet: The city may approve funding toward employee recognition such as the annual awards banquet to offset costs for dinner, entertainment and employee awards. Recognition may include, but is not limited to service certificates and plaques, safety awards, sick leave (lack of use) incentives.
2.     Retirement Recognition: The city may recognize an employee who retires from service by hosting a retirement recognition gathering. The amount spent shall not exceed \$200.00. In addition, a plaque or certificate may be provided.

This policy does not prohibit employees from making gifts with private contributions.

3.     Death in Family: The city may send condolences to current and former employees, elected and appointed officials, who experience a death in their “immediate family” as defined in the Personnel Management Guide and/or Union Contract. The amount spent shall not exceed \$50.00.

*Adopted by City Council on March 3, 1997.*

## **Personnel Manual**

The Council shall establish and maintain a personnel policy manual including but not limited to policies on hiring, firing, sick leave, job qualifications, job descriptions, salary schedules, etc.

*Adopted by City Council on February 4, 1974.*

## **FINANCIAL POLICIES**

### **Annual Audit Policy**

The purpose of this policy is to provide for a comprehensive annual financial report (CAFR) and an annual audit of financial reports contained in the CAFR. Therefore, it shall be the policy of the City of Indianola that:

1. The City Council shall solicit proposals from qualified firms at least every 3 years to provide auditing services. The city council shall procure a firm to perform an annual audit of financial reports contained in the CAFR. Qualified firms are an independent firm of licensed certified public accountants or the Auditor's Office for the State of Iowa.
2. Audits shall be performed in accordance with generally accepted auditing standards, Chapter 11 of the Code of Iowa, and the standards applicable to financial audits contained in standards issued by the Comptroller General of the United States. The council shall annually review and approve the report of the independent auditor at a meeting open to the public.
3. Audits shall be performed in accordance with OMB Circular A-133, also known as a single audit, if expenditures under Federal awards exceed \$500,000 for the fiscal year. Single audit reports shall be submitted to the Federal Audit Clearinghouse within the earlier of 30 days after receipt or nine months after the end of the fiscal year.
4. The Director of Finance, as the designated Chief Accounting Officer, shall publish within nine months of the close of each fiscal year a complete set of audited financial statements. The comprehensive annual financial report, and reports for all component units, shall be submitted to the Auditor's Office for the State of Iowa by March 31 of each year (as per Iowa Code).

*Adopted by City Council on April 18, 2005.*

## **Accounting System Policy**

The purpose of the accounting system policy is to enable the preparation of financial statements presented in conformity with applicable laws, rules, and regulations. The accounting system shall be structured in the following manner:

1. The Director of Finance, as the designated as the Chief Accounting Officer, shall implement procedures to implement this policy.
2. A fund accounting system that differentiates between the General Fund and other funds required to be separately accounted for by law, rule, or regulation.
3. Accounting codes that differentiate between assets, liabilities, receipts or revenues, and disbursements or expenditures for each fund.
4. Accounting codes that differentiate between revenue and expenditures by Federal or state grant programs as well as other programs and activities.
5. Utility billing system providing for customer billing of utility consumption and other appropriate fees and voluntary contributions.
6. Payroll database system for compensation of employees as provided in the Salary Resolution or as otherwise approved by the City Council.
7. Provide for a report to be reconciled with those of the City Treasurer as described in the Cash Management Policy.

### **Procedures**

The following procedures have been approved by the governing body to implement the Accounting System Policy. As part of these procedures, the Director of Finance may segregate duties between or delegate responsibilities to the City Clerk, Payroll/Utility Billing Clerk, Accounts Payable Clerk, Cashier, and other part-time employees.

### **General Ledger:**

1. The Director of Finance or designee shall maintain a Chart of Accounts of all account codes.
2. The Accounts Payable Clerk or designee shall prepare and enter all general ledger entries.
3. The Director of Finance or designee shall review and approve all general ledger entries on a monthly basis.

### **Utility Billing:**

1. The Utility Billing/Payroll Clerk or designee shall prepare and enter all utility billing information including account set up, consumption readings, adjustments, and account terminations.
2. No adjustments may be made to any Clerk's Office employee's personal utility account without the prior approval of the City Clerk or City Manager, if to the City Clerk's account.
3. All billing and collection procedures shall be in compliance with applicable rules and regulations promulgated by the Iowa Utilities Board and the municipal utility board.



**Payroll:**

1. Salaries and wages shall be supported by timesheets that separately report time worked on different projects and leave time.
2. Timesheets shall be attested to as accurate by both the employee and a supervisor familiar with the employee's activities.
3. Payroll disbursements are subject to the policies and procedures detailed in the Cash Management Policy.
4. No adjustments may be made to any Clerk's Office personnel account without the prior approval of the City Council, City Clerk or City Manager, if to the City Clerk's account.

*Adopted by City Council on April 18, 2005.*

## **Capitalization Thresholds for Financial Reporting**

Pursuant to requirements to report fixed assets on financial statements, the threshold for reporting additions to fixed assets shall be established as follows:

1. All non-infrastructure capital items with a useful life less than five years from the date of acquisition or an individual item cost of less than \$5,000 shall be expensed.
2. All non-infrastructure capital items or projects with a useful life of at least five years from the date of acquisition and an individual cost of at least \$5,000 shall be added to applicable fixed asset schedules.
3. All costs for infrastructure assets shall be added to applicable fixed asset schedules.

Nothing in this policy shall be construed to limit the inclusion of expensed capital items in inventory management systems.

*Adopted by City Council on November 17, 2003.*

## **Cash Management Policy**

The purpose of the cash management policy is to provide an efficient, cost-effective method of processing cash transactions. Therefore, it shall be the policy of the City of Indianola to:

1. Annually adopt a resolution naming depository for all institutions that can be utilized for deposit accounts.
2. Annually adopt an investment policy for delegating the responsibility of investing cash balances to the appropriate parties and providing guidelines for the investment of funds.
3. Designate the City Treasurer as responsible for the safe custody of all city funds (as per Chapter 19 of the Code of Ordinances).
4. Designate the City Manager as responsible for supervising and directing the official conduct of all officers of the city under the management and control of the City Council, including the City Clerk (as per Chapter 21 of the Code of Ordinances). The City Manager shall implement procedures to delegate fiscal responsibilities while maintaining effective internal controls. As such, the Director of Finance is designated as the Chief Accounting Officer and has the authority to implement accounting procedures needed to maintain effective internal controls over city funds.
5. Approve all expenditures at meetings open to the public and provide for the publication of the expenditure report (as per Iowa Code). Annually, the City Clerk shall provide for the publication of all actual salaries and wages for all personnel under the management and control of the City Council.
6. Approve a summary report of all receipts by fund at meetings open to the public and provide for the publication of the said report (as per Iowa Code).
7. Annually adopt a Salary Resolution setting compensation rates and benefits for all employees under the management and control of the City Council at the beginning of each fiscal year. Increases in compensation throughout the year shall be approved by roll call of the City Council.
8. Reconcile the Director of Finance accounting of deposits, withdrawals, and fund balances as described in the Accounting System Policy to the account balances attested to by the City Treasurer. The City Council shall review and approve the reconciliation report on a monthly basis.

## **Procedures**

The following procedures have been approved by the governing body to implement the Cash Management Policy. As part of these procedures, the City Clerk may segregate duties between or delegate responsibilities to the Payroll/Utility Billing Clerk, Accounts Payable Clerk, Cashier, and other part-time employees.

### **Account Maintenance:**

1. The Director of Finance is the designated official authorized to sign checks.
2. Bank statements are to be reconciled on a monthly basis by the Accounts Payable Clerk with oversight by the Director of Finance.
3. Blank checks shall be safeguarded and stored in a vault or other non-public areas not accessible by non-administrative personnel.
4. No checks are to be issued without prior approval by the City Council.

**Deposits:**

1. The Cashier or designee shall be provided information pertaining to all amounts owed to the City of Indianola.
2. All checks or cash to be deposited shall be delivered to the Cashier or designee as soon as practical from the time collected by any city employee or official. Each department that receives checks or cash shall deliver to the Cashier or designee information showing that amounts actually received balance, within reasonable variance, what was delivered to the Cashier or designee.
3. The Cashier or designee shall provide, and retain a copy of, receipts for all amounts collected.
4. The Cashier or designee shall prepare a daily receipt report totaling all deposits into city accounts. The report shall balance, within reasonable variance, the actual amount deposited for the period covering that report.
5. The Director of Finance, or designee, shall request funds for projects funded by federal or state awards in accordance with the appropriate rules and regulations. All requests shall be provided to the Cashier for receipt purposes as soon as practical from the time requested. All requests for funds shall be timed in accordance with the actual immediate cash requirement of carrying out the approved project. Requests are not to be made to cover future expenditures, unless explicitly allowed by the appropriate funding authority for that specific project.

**Purchasing:**

All expenditures by any board, commission, or employee shall be reasonable in nature and necessary to attain the public purposes set forth in the annual budget as adopted by the City Council. In all purchasing decisions, the goal is to use the lowest responsive/responsible supplier using cost and any other factors deemed prudent by the board, commission, or employee. These procedures may be waived during bona-fide emergencies. The following procedures shall apply:

1. Where authority is granted in the Code of Ordinances, boards and commissions are authorized to approve the purchase of budgeted items by a majority or quorum vote. Documentation of this shall consist of a listing of claims accompanied by the minutes.
2. The City Manager is authorized to purchase budgeted items, non-budgeted items up to \$25,000, and other items as authorized by the City Council and to delegate purchasing authorities as appropriate. As such, each Department Head is authorized to purchase budgeted items, or as otherwise authorized by the City Manager, for the individual fund for which they have supervisory authority. Department Heads are authorized to reasonably substitute individual items from those budgeted but must obtain approval from the City Manager before exceeding total budgeted expenditures for the funds for which they have supervisory authority.
3. Each Department Head or the Director of Finance shall attest to the authorization to disburse funds to pay for their department's approved purchases (henceforth called a claim). This authorization may be delegated at the discretion of the Department Head. The Director of Finance shall attest to the claims directly approved by the City Council, any official board or commission action in the absence of any other employee authorized by the official board or commission, and to reimburse the City Manager or any other employee of the city. The City Manager shall attest to the claims to pay for reimbursements to the Director of Finance.
4. Purchasing of items for projects funded by federal or state grant awards shall be limited to the minimum amounts needed to cover allowable project costs.

**Disbursements:**

1. All approved claims shall be submitted to the Accounts Payable Clerk or designee as soon as practical from the time received by any city employee or official.
2. The Accounts Payable Clerk or designee shall review all claims for appropriate approval and consistency with policies and procedures prior to processing disbursements.
3. The Accounts Payable Clerk shall provide a report of all non-payroll associated claims to the Director of Finance, who shall in turn submit it to the City Council for approval.
4. The Payroll/Utility Billing Clerk shall maintain the payroll system in accordance to the Salary Resolution and other policies adopted by the City Council.
5. The Payroll/Utility Billing Clerk shall prepare a bi-weekly payroll and any associated claims for deductions, taxes, or other benefits.
6. The Payroll/Utility Billing Clerk shall provide a report of all payroll-associated claims to the Director of Finance, who shall in turn submit it to the City Council for approval.
7. Checks shall be approved and signed by the Director of Finance, or as otherwise authorized by the City Council.
8. The Director of Finance is expressly authorized to make disbursements using electronic means for the following items:
  - Payment of debt, or interest on debt, previously approved by resolution of the City Council or any authorized board or commission.
  - Payment of payroll-associated claims including voluntary deductions, remittance of taxes, or other benefits as described in resolutions and policies adopted by the City Council.
  - Payment of credit card and bank account fees under agreements previously approved by the City Council.
  - Remittance of sales and use taxes to the State of Iowa.
  - Payment of self-funded health insurance and flex spending claims as approved by a third-party administrator under contracts approved by the City Council.
  - Payment to settle contracts with specifically identified and scheduled payments previously approved by the City Council.

*Adopted by City Council on April 18, 2005; amended August 4, 2008, amended May 21, 2018*

## **Claims**

It shall be Council policy that Board claims be approved by a majority or quorum of the Board prior to submission to the Council for payment. Documentation of this shall consist of a listing of claims accompanied by the minutes.

*Approved by City Council on December 20, 1976; amended August 4, 2008.*

## **Financial Management Policy**

### **Section 1- General Policy**

It is the expectation and the general understanding of the City Council and the citizens of Indianola that the City conducts its financial affairs in a thoughtful and prudent manner. The following policies provide the framework within which the City conducts its financial affairs. The policies are divided into the following categories: Revenue Policies, Reserves and Contingencies, Operating Expenditure Policies, Capital Improvements Planning, Debt Management, Financial Reporting, and Investment Policies. Most of these policies represent long-standing principles, traditions, and practices which have guided the City in the past and have helped maintain financial stability. There may be times in which the City Council deviates from policy based on sound decisions and public interest. These deviations will be noted in the City Council minutes.

### **Section 2 - Revenue Policies**

The City of Indianola revenue policies are intended to provide guidelines for determining the revenues and revenue sources necessary to provide basic municipal services to the community. It is the City's goal to create and maintain a diversified, yet stable, revenue system to protect it from possible short-term fluctuations in any of its various revenue sources. An integral factor in the City's ability to maintain a strong revenue supply is the diversity of its tax base and the health of the area economy. Therefore, the City resolutely encourages economic development through the implementation of financial policies that create a favorable tax climate, while meeting service demands of businesses and residents.

### **General Revenue Policies**

A diversified, yet stable, revenue system will be utilized by the City to protect it from possible short-term fluctuations in any of its revenue sources.

In situations in which the City has determined that a fee may be a more appropriate method of funding a government program or service than property taxes, the City may explore the possibility of using fees instead of property taxes as the appropriate revenue source to fund the program or service. As much as practical, fees should be established at a level that supports the entire cost of providing the program or service.

Through community and economic development, a broader tax base will be pursued to increase tax revenue and help reduce annual fluctuation in the property tax rate.

Revenue projections should be developed on an annual basis. Existing and potential revenue sources should be reviewed annually.

#### **Property Taxes**

The City's total property tax levy rate and tax revenues shall be reviewed annually and evaluated, taking into consideration current and forecasted economic conditions, proposed service level changes, State and Federal mandates, changes in the property tax rollback, amendments to the property tax law, and

any other factors that affect the City's ability to provide basic City services or maintain sufficient cash reserves.

Stability and consistency in the property tax levy rate from one year to the next is desired. Adjustments to the levy are appropriate and may be made when tax revenues are projected to fall short. If revenues are expected to exceed the funding for basic services, the city council will review available options, which may include, but are not limited to, infrastructure improvements, equipment or economic development projects.

### **Urban Renewal - Tax Increment Financing Policy**

#### **Purpose**

The City creates urban renewal districts to:

Enhance areas in the city for the purpose of stimulating private investment in commercial, industrial, residential development/redevelopment and investment in public facilities through public action and commitments.

Increase commercial, industrial development, residential redevelopment and investment in public facilities in the City which will improve the economic and social environment of the community and sustain a desired balance between the non-residential and residential tax revenues.

Provide adequate public infrastructure of sanitary sewer, storm water management, potable water, streets, and pedestrian walkways to ensure the public health, safety and welfare.

Provide assistance and economic incentives for commercial, industrial development and residential redevelopment which may not otherwise occur without such assistance and incentives.

#### **Guidelines**

The City shall adhere to Chapter 403 of the Code of Iowa, in the creation of urban renewal plans and subsequent implementation of those plans. The powers granted in this chapter constitute the performance of essential public purposes for the State of Iowa and the City of Indianola, Iowa. The powers conferred by this chapter are for public uses and purposes for which public money may be expended and for which the power of eminent domain and police power may be exercised; and that the necessity in the public interest for these provisions is declared as a matter of legislative determination.

The assessed value of property within each urban renewal district, which is subject to a division of revenue from taxation - tax increment financing (TIF), is determined by the Warren County Assessor each year.

The City uses TIF to leverage economic activity, offset taxpayer burden, build public improvements and finance public investment in infrastructure deemed necessary for community growth.

#### **Process**

The amount of value reservation required for the next fiscal year is due annually by December 1st. And, upon written request from a taxing jurisdiction, meet and confer with that jurisdiction on the intended reservation.

Taxable valuation reservation will be based upon the debt and contractual obligations certified with the Warren County Auditor.

Prepare and distribute exhibits, including formulas and calculations of TIF dollars.

#### **Restrictions**

**Distribution of Incremental Property Taxes** The City of Indianola attempts to release to all taxing jurisdictions any additional valuation in the TIF districts when the funds generated by the valuation exceed the amount needed to retire the annual TIF debt in that district or anticipated for future debt.

**Sunsets** The City establishes sunset dates for all TIF districts as provided in Chapter 403.17(10), Code of Iowa, as follows: in an urban renewal area designated an economic development area in which no part contains slum or blighted conditions, the plan shall be limited to twenty years from the calendar year following the calendar year in which the city first certifies to the county auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in the Code of Iowa, Chapter 403.19.

**Powers of Municipality** The City shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of Chapter 403.6 and the additional powers granted in Chapter 403.12 of the Code of Iowa.

**Fluctuation/Reserves** Tax increment reserves will be established to help offset major fluctuations in debt reservation requirements. Funds held in reserves will be specifically identified and held for a future debt or contractual obligation.

### **Municipal Enterprises**

User charges and fees should be set at a level related to the cost of providing services. Determination of such costs should include the costs of providing the actual service as well as all other related expenses, such as maintenance and replacement of equipment, personnel costs, and all other operating and administrative costs.

User fees and charges should be reviewed annually. When necessary, user fees and charges should be re-calculated and revised to reflect the actual cost of activities.

### **Section 3 - Reserves and Contingencies**

The maintenance of adequate cash reserves provides the City with flexibility and security and is an important factor considered by rating agencies and the underwriting community when reviewing City debt issuance. Along with maintaining the City's credit worthiness, such cash reserves provide the means to handle economic uncertainties, local disasters and other unanticipated financial hardships, as well as, meeting debt cash flow requirements. In addition to the designations noted below, fund balance levels will be sufficient to meet funding requirements for projects approved in prior years that are carried forward into the new year, debt service reserve requirements, reserves for encumbrances and other reserves or designations required by contractual obligations or generally accepted accounting principles. Deviation from the following general policies by Council may occur based on sound decisions and public interest. When such deviations are made, it shall be specifically noted and included within Council minutes.



## **Fund Balance Policies**

- General Fund cash reserves (fund balance) should be maintained at a level sufficient to provide funding for general governmental operations. It is the City's goal to have an unrestricted minimum balance at fiscal year-end of not less than 25 percent of general fund expenditures. However, the balances may be higher, if deemed prudent, due to the uncertainty of future revenues or anticipated expenditures.
- Sanitary Sewer O&M Fund unrestricted cash reserves (fund balances) should be maintained at a level sufficient to provide funding to meet 100 percent of the fiscal year expenditures.
- Recycling Enterprise Fund unrestricted cash reserves (fund balances) should be maintained at a level sufficient to provide funding to meet 25 percent of the fiscal year expenditures.
- Road Use Tax- It is the City's goal to have an unrestricted minimum balance at fiscal year-end of not less than 50 percent of Road Use Tax fund operating expenditures. The balance may be higher, if deemed prudent, due to the anticipated capital expenditures.
- Storm sewer Utility- It is the City's goal to have an unrestricted minimum balance at fiscal year-end of not less than 25 percent of Storm Sewer Utility fund expenditures, or \$100,000 whichever is greater. The balance may be higher, if deemed prudent, due to the anticipated capital expenditures.
- Health Insurance Fund -It is the City's goal to ensure the upcoming Fiscal Year health insurance fund balance is equal to the preceding two fiscal years' claims average prorated to 6 months.
- Cash reserves should not be used to finance routine operating expenses, which exceed budget levels. Routine operating expenses shall be defined as reasonably anticipated reoccurring annual expenditures.

Cash reserves may be used to finance capital improvement projects only when cash reserves have been specifically identified in the budget to finance such project, and do not bring the fund balance below the required level.

Excess cash reserves may be used to balance revenues and expenditures as long as the minimum cash reserve requirements of this policy are met, provided that said cash reserves may only be used to offset non-reoccurring expenditures.

Revenues will equal or exceed expenditures for each budget year unless there are funds available in excess of the cash reserves requirements of this policy.

The City's annual budget is considered balanced if the cash reserve requirements, the working capital requirements and the revenue and expenditure requirements of this policy have been met.

### **Working Capital**

The City will maintain sufficient cash reserves in operating funds for working capital so that short term cash flow financing is not required. The cash reserve will be no less than 25% of the next year's operating budgeted expenditures, the same level as required for the general fund. Operating funds are defined as the general, road use tax, employee benefits and enterprise funds. The cash reserve may be higher than 25% if deemed prudent due to the uncertainty of future revenues or anticipated expenditures.

The use of short-term borrowing, such as with tax anticipation notes, in order to meet the preceding working capital requirements should be avoided.

## **Equipment Replacement Reserve Fund**

The City may establish and maintain an equipment replacement reserve fund to provide for the scheduled purchase of vehicles and equipment, and will consider annually appropriating funds to it to provide for the timely upgrading and replacement of vehicles and equipment. The amount added to this fund by annual appropriation should be the amount required to maintain the fund at the approved level

after credit for the sale of surplus equipment and interest earned by the fund. It is the City's intent that the reserve fund replaces the City's need to borrow funds for vehicle and equipment acquisitions. A minimum fund balance of 5% of the current year expenditures will be maintained to ensure proper funding, and to accommodate price volatility.

### **Capital Project Funds**

The Council may designate specific fund balance levels for future development of capital projects that individually do not exceed \$500,000 in total project costs and that do not require bond financing. In order to help maintain the fund at approved levels, the Council may annually transfer to the fund any balance from operating funds in excess of the cash reserve requirements within this policy.

### **GASB 54**

GASB 54 establishes the following five fund balance classifications: Non-spendable, Restricted, Committed, Assigned, and Unassigned. Fund Balance classifications assigned, unassigned, and committed are considered "unrestricted" fund balances. The order of spending will be as follows: restricted, committed, assigned and unassigned. Restricted funds shall be spent according to the purpose for which they were received. Unassigned funds shall always be spent after Committed and Assigned funds have been exhausted. The City Manager and/or the Finance Director are authorized to assign fund balances according to specific factors involved. The City Council will have authority to commit fund balance.

### **Section 4 – Operating Expenditure Policies**

Operating expenditures must meet the City's requirements to provide services within the framework of available revenues. Fiscal control and long range financial planning is necessary to guarantee that the City's current and future finances will remain sound. The following operating expenditure policies guide the evaluation and control of the City's appropriations and expenditures.

#### **General Policies**

Expenditure projections will be developed on an annual basis, and will be reviewed quarterly. Projections should include estimates of anticipated operating costs for programmed capital improvement projects, and for equipment and capital facilities replacement and maintenance schedules.

Current expenditures should be paid, in accordance of Council directives, with current revenues or excess cash reserves.

Current expenditures should not be balanced by postponing needed expenditures, accruing future revenues, issuing short term debt, or paying for routine operating costs out of minimum cash reserves.

The operating budget should provide for adequate maintenance of fixed assets and equipment and provide for their orderly replacement.

The City will encourage the provision of services through the private sector and other public agencies whenever and wherever greater efficiency and effectiveness can be achieved.

The City shall consider annually funding request from local service organizations. These funding requests are due, in writing, annually to the council, by December 1, for consideration in upcoming budget. Requests should include amounts requested, as well as planned usage of the funds. These community betterment funds shall only be made with operating funds in excess of cash reserve targets.

The City will maintain risk management and safety programs to reduce costs and minimize losses.

The City will budget health insurance for those employees who waive insurance and planned new employees at the family health insurance premium. Employees will contribute to a percentage of the health insurance premium, currently at 12 percent.

## **Section 5 – Capital Improvements Planning**

Policies for the capital improvements program are intended to encourage planning for future growth and infrastructure repair within the framework of the City’s financial policies.

### **General Policies**

The City should develop and annually update a five-year capital improvement program (CIP). This program should identify future capital project expenditures made necessary by anticipated changes in population, infrastructure replacement and extension, economic base and/or land use.

The operating and maintenance cost of a proposed capital improvement shall be calculated to determine a “true cost” of each improvement and assist in programming of future overall revenue requirements of the City.

The capital improvements plan will include the costs, timing and sources of funding and the estimated impact of future revenue requirements for each project. These calculations shall reflect adjustments for inflation.

The capital improvements plan should maintain the City’s assets at a level adequate to protect the City’s capital investments, minimize future maintenance and replacement costs, and provide for an adequate level of service.

The City’s annual capital improvements budget should be based on the five-year CIP. The budget will include final calculations of revenue sources and related impacts on future availability of revenue for additional projects.

The annual expenditures identified in the CIP should be fully funded from financial resources that are anticipated to be current and available.

Grants and similar forms of intergovernmental assistance should be used to finance only those projects identified in the CIP or other planning documents as the community needs.

A fiscal impact analysis should be performed on all projects for which the City’s financial participation is requested by the private sector. This analysis should identify anticipated direct and indirect public costs and revenues associated with the proposed project.

## **Section 6 - Debt Management Policies**

The issuance of debt is a necessity for the financing of many major capital improvements. Determining the method and timing for financing is subject to numerous considerations. The City’s debt policies are intended to encourage conservative debt management while maintaining the flexibility to use the various financing mechanisms that are available to the City.

The City's overall tax levy must be reflective of the impact of debt issuance. Alternative revenue sources will be used when practicable to maintain an overall tax rate consistent with the general philosophy of municipal service determined by the City Council.

The cost of financing through the issuance of debt is also affected by the strength of the City's financial position. Bond ratings and investor's interest are influenced by the City's debt management policies, as well as, by the overall financial policies of the City. It is the City's goal to maintain debt management policies that keep outstanding debt within manageable levels and which maintains the City's flexibility to issue debt in the case of unusual circumstances of those beyond the City's control.

#### General Policies

Long-term borrowing shall be limited to capital improvements projects that cannot be financed from current revenues, have estimated life span of greater than the term of borrowing and generally to capital projects with an aggregate project cost of \$250,000 or greater. Principal and interest will be scheduled to be within the revenues available for debt service. Long-term debt shall not be used for current operations.

Any capital improvement projects or capital equipment financed through bonds should be financed for a period not to exceed the expected useful life of the asset being financed.

Total outstanding debt, including overlapping debt, will be considered when planning additional debt issuance.

Consideration should be made for the City's share of utility projects, including the cost of over-sizing of water, sewer and storm water mains, being financed with current utility funds and other revenues when funds are appropriate and available.

The use of general obligation bonds for projects does not dismiss the potential of pro rata payment for debt service by specifically benefited funds such as water, sewer, storm water, or road use tax.

The City will consider refunding outstanding debt in order to achieve interest cost savings, restructure principal and/or eliminate burdensome covenants with bondholders. Refunding's undertaken to achieve interest cost savings in advance of their call date should strive to achieve a new present value savings benefit equal to a minimum of 3% of the present value of the refunded par amount.

Financing requirements will be reviewed annually. The timing for financing will be based upon the City's need for funds, market conditions and debt management policies.

The City will follow a policy of full disclosure on every financial report and bond prospectus with bond rating agencies about its financial condition.

The City will follow applicable laws, regulations and bond covenants relative to arbitrage and rebate compliance requirements.

#### Debt Limitations

The average maturity of general obligation debt should not exceed the useful life of the asset being financed and/or state law limitations.

Bond issues should be structured so that the debt service schedule is within the revenues available for debt service.

Total general obligation indebtedness should not exceed 80% of the City's statutory debt limit. Self-imposed debt limitations may not take into account debt issued as a consequence of voter approved bond referendums.

## **Section 7 - Financial Reporting and Accounting**

### **General Policies**

The City will maintain a high standard of accounting practices. To that end, the City will continue to use the latest edition of Governmental Accounting, Auditing, and Financial Reporting (GAAFR) as its source of generally accepted accounting principles (GAAP).

The City's relationship with its independent public accounting firm will be reviewed at a minimum every five year.

The City will maintain its budget and accounting system on a cash basis which will be the basis for all interim, internal, and state reporting.

The City will adhere to a policy of full and open public disclosure of all financial activity and information.

### **Reports**

The City will maintain a budgetary control system and will produce interim financial reports that measure actual revenues and expenditures compared to budgeted revenues and expenditures.

Monthly and annual reports should present a summary of financial information by major fund and activity type.

Monthly reports should be provided presenting actual cash position and investment performance.

Each year, the City shall retain either an independent public accounting firm or the State Auditor to perform the annual audit and will make the audit available to all interested parties.

The City will comply with all federal and state audit and review regulations, including OMB A-133 single audit and Single Point of Contact (SPOC) review requirements.

## **Section 8 – Investment Policies**

### **Scope of Investment Policy**

The Investment Policy of the City of Indianola shall be governed by Iowa Code Chapters 12B and 12C and shall apply to all operating funds, bond proceeds and other funds and all investment transactions involving operating funds, bond proceeds and other funds accounted for in the financial statements of the City of Indianola.

The investment of bond funds or sinking funds shall also comply with the provisions of any bond resolutions.

This written investment policy, required by Iowa Code Section 12B.10B, shall be delivered to all the following:

The governing body or officer of the public entity to which this policy applies.  
All depository institutions or fiduciaries for public funds of the public entity.  
The auditor of the public entity.  
Every fiduciary or third party assisting with or facilitating investments for the public entity.

#### Delegation of Authority

In accordance with Section 12B.10, the responsibility for conducting investment transactions resides with the Treasurer of the City of Indianola. For purposes of this Investment Policy the Finance Director is designated the Treasurer. Only the Treasurer and those authorized by resolution may invest public funds. A copy of any empowering resolution shall be attached to this Investment Policy.

All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit or investment of public funds or acting in a fiduciary capacity for the City of Indianola shall require the outside person to notify in writing the Treasurer of the City of Indianola within thirty days of receipt of all communication from the Auditor of the outside person or any regulatory authority of the existence of a material weakness in the internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the City of Indianola by the outside person.

The records of investment transactions made by or on behalf of the City of Indianola are public records and are the property of the City of Indianola whether in the custody of the City of Indianola or in the custody of a fiduciary or other third party.

The Treasurer shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent the loss of public funds, to document those officers and employees of the City of Indianola responsible for elements of the investment process and to address the capability of investment management. The controls shall provide for receipt and review of the audited financial statement and related report on internal control structure of all outside persons performing any of the following for this public body.

Investment of public funds.  
Advising on the investment of public funds.  
Directing the deposit or investment of public funds.  
Acting in a fiduciary capacity for this public body.

The Treasurer of the City of Indianola shall be bonded in the amount of \$300,000. The amount of this bond shall be reviewed annually to determine its appropriateness and will be amended by the City Council if deemed necessary.

#### Objectives of Investment Policy

The primary objectives, in order of priority, of all investment activities involving the financial assets of the City of Indianola shall be the following:

Safety: Safety and preservation of principal in the overall portfolio.  
Liquidity: Maintaining the necessary liquidity to match expected liabilities.  
Return: Obtaining a reasonable return in compliance with Iowa Code Section 12C.6.

#### Prudence

The Treasurer of the City of Indianola, when investing or depositing public funds, shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the Section 8 investment objectives. This standard requires that when making investment decisions, the Treasurer shall consider the role that the investment or deposit plays within the portfolio of the assets of the City of Indianola and the investment objectives stated in Section 8.

When investing assets of the City of Indianola for a period longer than six months or in an amount greater than \$300,000 per investment, the Treasurer shall request competitive investment proposals for comparable credit and terms investment from a minimum of three investment providers.

#### Instruments Eligible for Investment

Assets of the City of Indianola shall be invested in financial institutions properly declared by Resolution of the City Council of the City of Indianola. Deposits in any financial institution shall not exceed the amount stated in the Resolution. Assets of the City of Indianola may be invested in the following:

Demand Deposit Accounts (DDA)  
Negotiable Orders of Withdrawal (NOW) Accounts  
Certificates of Deposit.  
Obligations of the United States Government, its agencies and instrumentalities.

#### Prohibited Investments and Investment Practices

Assets of the City of Indianola shall not be invested in the following:

Reverse repurchase agreements.  
Futures and options contracts.

Assets of the City of Indianola shall not be invested pursuant to the following investment practices:

Trading of securities for speculation or the realization of short-term trading gains.  
Pursuant to a contract providing for the compensation of an agent or fiduciary based upon the performance of the invested assets.  
If a fiduciary or other third party with custody of public investment transaction records of the City of Indianola fails to produce requested records when requested by this public body within a reasonable time, the City of Indianola shall make no new investment with or through the fiduciary or third party and shall not renew maturing investments with or through the fiduciary or third party.

#### Investment Limitations

**Operating Funds:** Operating funds means those funds which are reasonably expected to be expended during a current budget year or within fifteen months of receipt. Operating funds must be identified and distinguished from all other funds available for investment. Operating funds may only be invested in investments which mature within three hundred ninety-seven (397) days or less.

**Other than Operating Funds:** The Treasurer may invest funds of the City of Indianola that are not identified as Operating Funds in investments with a maturity longer than three hundred ninety-seven (397) days. However, all investments of Project Funds and other non-operating funds shall have a maturity that is consistent with the needs and use as specified for these funds, and no maturity shall be longer than three (3) years for any funds unless specifically authorized by the City Council.

### Safekeeping and Custody

All invested assets of the City of Indianola involving the use of a public funds custodial agreement, as defined in Iowa Code Section 12B.10C, shall comply with all rules adopted and in accordance with the laws of the State of Iowa.

### Ethics and Conflict of Interest

The Treasurer and all officers, employees and committees of the City of Indianola involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

### Reporting

The Treasurer shall submit monthly with the Bank Reconciliation a list of investments making up the current investment portfolio.

Adopted by City Council on July 5, 2016, amended by City Council on September 18, 2017, amended by City Council on August 20, 2018, amended by City Council on October 7, 2019



## **Local Purchase Policy**

Pursuant to Iowa Code Section 23A.3 the Indianola City Council adopts the following policy:

Whenever any department of the City of Indianola purchases good or services from private enterprise, consideration shall be given to purchasing these goods or services from a locally owned business located within the City of Indianola which offers these goods or services if the cost and other considerations are relatively equal.

Adopted by City Council on September 19, 1988.

## **Purchasing Policy**

### **Part I: General Policy**

- The City's purchasing system is decentralized with certain exceptions at the discretion of the City Manager.
- No purchase made by an employee shall bind the City to receive and/or pay for the goods or services procured unless authorized by the methods described herein.
- Purchases made without following the City's policies and procedures may result in the return of documents, nonpayment of vendor invoices, cancellation of purchase orders or purchasing privileges, or other sanctions as determined necessary after consultation with the department head or City Manager.
- Transactions should not be split into smaller parts to circumvent the dollar limitations and requirements of this policy.

### **Part II: Purchasing Limitations; Bidding<sup>1</sup>**

- **Informal Quotations**
  - The purchaser may seek up to three quotations, but is not required, of any goods (materials, merchandise, supplies, etc.) or services (activities provided by other people) with a total value between \$1,000 and \$4,999. If quotations are received, they do not need to be in writing but should be documented for reference.
  - The purchase of any goods or services with a total value between \$5,000 and \$39,999 shall require written quotations from at least three suppliers.

Purchases for public improvements (infrastructure projects, construction of street, sidewalk, curb, traffic control, sewer projects, etc.) qualifying under Iowa Code Chapter 26 that are less than \$48,000 for highway, bridge, or culvert work, less than \$57,000 for buildings, utilities, sidewalks, trails, etc., or that have been declared "emergency repair work" qualify for informal quotations under this subsection. The contractor must provide a performance and payment bond for a public improvement project of more than \$25,000 in accordance with Iowa Code Chapter 573
- **Semi-formal Competitive Quotations**
  - The purchase of any goods (materials, merchandise, supplies, etc.) or services (activities provided by other people) with an estimated value of \$40,000 or more shall require competitive quotes based on written specifications with the cooperation of the Finance Director.
  - Council approval is required for all semi-formal bids, contracts, and purchases.
  - State law requires that purchases for public improvements qualifying under Chapter 26 of the Iowa Code that are between \$57,000 and \$139,000 for vertical infrastructure and are not within one of the specified exceptions provided in Iowa Code section 26.1 qualify for semi-formal competitive quotations. The contractor must provide a performance and payment bond.

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<sup>1</sup> See Appendix A for a reference matrix of Bidding Requirements

- **Formal Competitive Bidding**

- Purchases for public improvements qualifying under Iowa Code Chapter 26.3 in excess of \$139,000 for vertical infrastructure or \$50,000 for horizontal infrastructure must use formal bidding as defined by Iowa Code Chapter 26 unless the improvements are “emergency repair work.”
- Formal bids are taken in the following manner:
  - Detailed written plans and specifications along with a detailed cost estimate are prepared for the project and placed on file with the City Clerk
  - Notice to Bidders shall be posted in three separate places (as detailed below) no less than 13 and no more than 45 days before the bid filing deadline. The notice must be posted in the following places:
    - A relevant contractor plan room service with statewide circulation
    - A relevant construction lead generating service with statewide circulation
    - An Internet site sponsored by either a governmental entity or a statewide association that represents the governmental entity
  - Notice to bidders shall include:
    - Time and place for filing sealed proposals
    - Time and place sealed proposals will be opened and considered on behalf of the governing body
    - The general nature of the public improvements on which bids are being requested
    - In general terms, when the work must be commenced and when it must be completed
    - Bid security and bid bond requirements
  - Notice of public hearing on plans, specifications, form of contract, and cost estimate must be published by the City Clerk not less than four days and not more than twenty days before the public hearing.
  - A formal opening and announcement of sealed bids on published date by City Clerk; review, consideration, and recommendation of bid award by staff for Council review
  - A public hearing on plans, specifications, form of contract and cost estimate before Council on the published date
  - Council passes or rejects resolutions to adopt plans, specifications, form of contract, and estimate of cost, to award construction contract, and to approve construction contract and bond with the lowest responsive, responsible bidder who has met all bid security and bid bond requirements following the public hearing
- **Exceptions to Competitive Bidding**
  - Professional services: Contracting for professional services or ongoing technical services may be done on a negotiated basis. Architectural, landscape architectural, or engineering design services procured for a public improvement are also excluded.

- Other governmental agency bidding: Bids solicited by the United States of America or any agency thereof, the State of Iowa, Warren County, or another governmental unit may be used as a replacement to the bidding requirements unless bidding is required by the Code of Iowa, City Council, or City Manager. The availability of a bid from another government agency does not preclude the City from seeking and obtaining bides in a manner provided through this policy.
  - Grants: All purchases funded through a State or Federal grant must follow all additional procedures required by the grantor. Contractor bids must be evaluated on the ability to meet the State or Federal requirements.
  - Conflicts of interest: Purchase transactions for goods and services with a City employee, employee's spouse, or employee's business are limited to \$1,500 per fiscal year per employee in total, per state law. Any transactions with an employee that will exceed this limit are required to go through formal bidding procedures. Any project that is formally bid is also an exception to a conflict of interest with that employee or officer of the City.
  - "Emergency Repair Work": is declared by resolution of the City Council and a certificate from an external, registered, professional engineer verifying that the emergency repairs are necessary.
    - Urban renewal demolition or low-rent housing projects
    - Repair or maintenance work performed by city employees
    - Annual contracts with multiple contractors for structure demolition projects for projects each having an estimated cost of \$100,000 or less
  - Sole Source Vendor: When one vendor is shown as a sole supplier of the good or service. Departments wishing to use a sole source vendor for certain equipment or projects must gain approval from the City Manager or Director of Finance.
- **Contract Administration**
    - Oversight of bidding: The City Clerk or her designee will advertise, bid, and oversee the receipt, opening and announcing of all formal bids.
    - Execution of Contracts: Formal bid contracts shall be executed by the Mayor and attested to by the City Clerk. All other contracts may be executed by the City Manager as permitted by state law.
    - Change Orders: The City Manager will administer all contracts on the authority of the City Council and will approve all change orders for contracts. Change orders on contracts that were bid using formal bidding procedures must have Council Approval.
    - Contract Payments: Contractual payments on formally bid contracts must be approved, individually, by City Council action. Other contractual payments must be approved by the City Manager and listed on the formal claims list presented to Council.
    - Retainage: Retainage shall be withheld on contracts for public improvements as provided for by State law or on other contracts as deemed appropriate or necessary. Retainage on a contract may not exceed 5% of the cost of the public improvement. An application by a contractor for early release of a retainage requires City Council consideration and approval.

- **Completion of Contract:** The following items need to have Council approval: (1) final acceptance of project; (2) final contractor payment; and (3) release of retainage authorization (unless application was previously made for early release of retainage).

### **Part III: Purchasing Methods**

1. **Petty Cash:** petty cash may be used to make purchases under \$100. A receipt is required for all petty cash purchases.
2. **Exceptions:** exceptions to the above purchasing method policies, including the necessity for a purchase order for all purchases over \$500, are as follows:
  - a. Annual dues renewals
  - b. Subscription renewals
  - c. Recording fees
  - d. Budgeted rents and leases
  - e. Maintenance agreement and service contract renewals
  - f. Travel and training
  - g. Contracts and purchases approved by the City Council

**APPENDIX A**  
**BIDDING REQUIREMENTS**  
**(under \$1,000—no quote or bid)**

	<b>Supplies/Equipment</b>	<b>Services*</b>	
\$1,000 - \$4,999	Up to Three quotations are preferred but is not required	Three quotations are preferred but is not necessary	Informal Quotation
\$5,000 - \$39,999	Three quotations (written)	Three quotations (written)	
Greater than \$40,000	Competitive Quotation Council Approval Required	Competitive Quotation Council Approval Required	Semi-formal Quotation

<b>Public Improvements/Construction** Horizontal Infrastructure (highways, bridges, culverts)</b>	
Less than \$50,000	Three written quotations
Greater than \$50,000	Competitive Bidding

<b>Public Improvements/Construction** Vertical Infrastructure (buildings, utilities, sidewalks, trails, etc.)</b>	
Less than \$57,000	Informal Quotation Three written quotations
Between \$57,000 and \$139,000	Competitive Quotation Semi-Formal (Council Consent)
Greater than \$139,000	Competitive Bidding

\* Contracts for professional or technical services may be done on a negotiated basis rather than on a competitive basis

\*\* Public Improvements greater than \$25,000 require City Council consent and performance bonds

*Adopted: December 14, 2015; Amended May 21, 2018*

*Adopted: December 14, 2015; Amended May 21, 2018, Amended October 7, 2019*

## **Mileage Rate Reimbursement**

Under current law, the City of Indianola may reimburse city officials and employees using their own vehicles up to the amount allowable under Internal Revenue Services (IRS) rules. Effective January 1, 2002, the City of Indianola shall match the IRS allowable mileage rate.

*Adopted by City Council on December 17, 2001.*

## **Payment of Services by Credit Card Policy**

The City of Indianola recognizes that accepting credit card payments for citizen services can enhance customer service. The addition of credit card payment as an option allows the City to receive payments on-line, thereby providing citizens with the ability to pay for services at hours most convenient to them. The City also recognizes that the aggregate credit card fees for providing this service can be a substantial amount.

To maximum the customer service objective while maintaining affordable fees, the Council hereby establishes a policy whereas the City of Indianola shall accept credit card payments for residential utility services and programs/services offered by the Parks and Recreation Department. Nothing in this policy shall limit credit card payment of non-utility services by commercial or industrial customers when use of this payment option becomes available.

*Adopted by City Council on October 7, 2002.*

*Amended by City Council on June 20, 2016- to add programs/services offered by the Parks and Recreation Department.*

## **Refunds of Payments Made by A Credit Card**

In certain situation, it may be more efficient and in order to offer a higher level of customer service to refunds certain fees that were paid by credit card back to the customers' credit card account. Deposits held for building reservations or activities as well as fees for programs or reservations that are cancelled due to situations such as low attendance, weather cancellations or schedule conflicts can be refunded back to an individual customer's credit card account without City Council approval. The amounts that can be refunded without City Council's approval shall not be more than the original fees or deposits paid for the services. Any refunds over \$200 will need Department Head approval and the maximum amount that can be refunded without City Council approval is \$600.

*Adopted by City Council on June 20, 2016*



## Procurement Card Policy

### Wells Fargo Purchase Card Procedures

It is the intent of the procurement card program to provide employees with an effective and efficient method of purchasing and paying for specific services and/or purchases. The use of procurement cards shall be in compliance with other city policies and procedures. It is the responsibility of each cardholder to comply with these policies.

Cardholder responsibilities shall include:

1. Knowing and complying with the procurement card policies and procedures, and ensuring purchases are made in accordance with the City's purchasing policy, including bidding requirements.
2. Ensuring that funds have been properly budgeted and are available to pay for the items and/or services being purchased.
3. Notifying the vendor, when applicable, that the purchase is tax exempt and ensuring that such taxes are not added to the prices of items and/or services purchased.
4. Upload receipts onto Wells Fargo system (see below).
5. Maintain security of procurement cards.
  - a. Procurement cards are the property of the City of Indianola.
  - b. It is the responsibility of the cardholder to keep the card in a safe location.
  - c. Lost or stolen cards shall be immediately reported to the Program Administrator.
  - d. Cardholders shall return cards to the Program Administrator when employment with the City of Indianola is terminated.

You may use the card for purchases when invoicing or other charge accounts are not available. In the event that a company will charge you an additional fee to use the credit card, continue with the normal invoicing process with that business, if possible.

Excluded Items – the procurement cards shall not be used for the following types of transactions:

1. Cash advance.
2. Purchase of alcoholic beverages.
3. Travel-related expenses related to spouses or other non-covered employees.
4. Items for personal use that would not be reimbursable by the City.
5. Video rental, "On Your Honor" bar purchases provided in hotel rooms.

The City purchasing card also shall not be used for personal identification or as a personal credit reference.

Program Violations are listed below:

1. Unallowable purchases: The cardholder will provide a written statement of explanation if an unallowable purchase appears on his or her statement or transaction log.
2. Unacceptable Documentation: The cardholder will provide required documentation upon notification to do so by the Program Administrator. Hardcopy receipts will be retained for seven (7) years.

3. Late Submission of Procurement Card Reconciliation Documents and/or Failure to Resolve Disputes: Late submission and/or failure to resolve disputes may result in de-activation of the card.
4. Standards of Conduct Violations: Conduct not complying with City standards will be reported to the Program Administrator. In addition to card revocation, violations may result in disciplinary action up to, and including, termination.

Repeated program violations will be reported to the Program Administrator. In addition to temporary de-activation of the card, consequences of violations may include card revocation, payroll deduction for unallowable purchases and expenses that were not reconciled, and/or disciplinary action up to, and including termination.

*You may view the full Procurement Card Policy at the City Clerk's Office*

#### **Quick References Regarding Purchases and Reconciliation of Procurement Cards**

- Only use the card if there is not an extra charge. If there is an extra charge and no other method of payment is allowed, you may use the card for the purchase if the extra charge does not exceed \$5.00. Alert the program administrator in these cases.
- If the purpose of the purchase is not completely evident, write a short note on the receipt. For example, if the fire department purchases food for training, the individual making the purchase would write on the receipt "For training session on" with the date of the training.
- Upload your receipt as soon as possible after purchase by uploading an image of the receipt to the Wells Fargo system either by taking a picture of the receipt with your phone and using the mobile app or scanning and uploading through a computer. Scanning the receipt is the preferred method of uploading the receipt. Make sure all pertinent information is legible. If you need additional assistance on how to complete this step, please see the program administrator.
- Once you have uploaded your receipt, submit it to whomever is storing the printed receipts. Make sure they know the receipt is for a Wells Fargo purchase.
- If using the mobile app to upload receipts, pay close attention to the "statement date". You will want to use "Open Statements" when uploading receipts for the previous month. You will want to use "Cycle to Date" when uploading receipts for the current month.
- You may reconcile your statement as purchases become available online or you may wait until the first business day of the next month. Cardholders have from the 1<sup>st</sup> of the month through the 6<sup>th</sup> of the month to reconcile their statements.

*Adopted by City Council November 16, 2015, Amended October 7, 2019*



## **Procurement Card Policy**

### **1. Purpose**

- A. It is the intent of the procurement card program to provide employees with an effective and efficient method of purchasing, reserving, guaranteeing and paying for specific services and/or purchases.
- B. The program is intended to provide documentation of purchases at the department level.
- C. The use of procurement cards shall be in compliance with other city policies and procedures. It is the responsibility of each cardholder to comply with these policies.

### **2. Roles and Responsibilities**

- A. The conduct of all City employees shall meet the highest ethical standards, and that standard is a part of the City's procurement card program. All participants in the program are responsible for conducting themselves in such a way as to exemplify the public trust that they hold.
- B. Program Administrator: The Director of Finance will act as the Program Administrator. Responsibilities shall include:
  - 1. Handling issues with the card provider and cardholders regarding compliance with program policies.
  - 2. Providing policy and procedure revisions to each Department Head.
  - 3. Recommending appropriate action in the event of unauthorized use of a card.
- C. Payment Administrator: The Director of Finance will act as the Payment Administrator. Responsibilities shall include:
  - 1. Coordinating the card application process and keeping a record of all cardholders.
  - 2. Coordinating training sessions and keeping a record of those who have completed training.
  - 3. Handling issues with the card provider and cardholders regarding changes in cardholder status.
  - 4. Handling questions concerning payment procedures and transaction reports.
- D. Accounts Payable Clerk: Responsibilities shall include:
  - 1. Processing payments in accordance with the program policies and the contract between the City and the card provider.
  - 2. Reporting all variances from policies and procedures to the Program Administrator.
- E. Department Head/Supervisor Approval: Responsibilities include

1. Reviewing and Approving monthly credit cards statements for department employees and department card purchase within established deadlines.
2. Knowing and complying with the procurement card policies and procedures, and ensuring purchases are made in accordance with the City's purchasing policy, including bidding requirements.
3. Ensuring that funds have been properly budgeted and are available to pay for the items and/or services being purchased.
4. Keeping informed about policy and procedure revision information.
5. Reporting any variances from program policies to the Program Administrator.
6. Ensuring that printed copies for the department are retained for seven (7) years. Assistance from the Finance Department is available to assist.

F. Cardholder: Responsibilities shall include:

1. Reviewing and approving monthly credit cards statements for purchase made within established deadlines.
2. Uploading receipts into the Wells Fargo system and providing a printed copy to the person maintaining them.
3. Knowing and complying with the procurement card policies and procedures, and ensuring purchases are made in accordance with the City's purchasing policy, including bidding requirements.
4. Ensuring that funds have been properly budgeted and are available to pay for the items and/or services being purchased.
5. Keeping informed about policy and procedure revision information.
6. Verifying that the quantity and quality of the items and/or services purchased are in compliance with the agreement, whether verbal or written, with the vendor.
7. Notifying the vendor, when applicable, that the purchase is tax exempt and ensuring that such taxes are not added to the prices of items and/or services purchased.
8. Reporting any variances from program policies to the Program Administrator.

### 3. Security

- A. Procurement cards are the property of the City of Indianola.
- B. It is the responsibility of the cardholder to keep the card in a safe location.
- C. Carrying cards permanently with personal cards is discouraged because of the possibility of its use in place of a personal credit card.
- D. Lost or stolen cards shall be immediately reported to the Payment Administrator.
- E. Cardholders shall return cards to the Payment Administrator when employment with the City is terminated.

#### **4. Included Items**

- A. The procurement card shall only be used for the following types of transactions:
  - 1. To secure and/or guarantee reservations, registrations, attendance, food, etc. to an approved educational or operational out-of-town event.
  - 2. To purchase or provide payment for goods or services necessary for operations and only for those goods and services that cannot be acquired through the traditional charge/billing/invoice process.

#### **5. Excluded Items**

- A. The procurement card shall not be used for the following types of transactions:
  - 1. Cash advance.
  - 2. Purchase of alcoholic beverages.
  - 3. Travel-related expenses related to spouses or other non-covered persons.
  - 4. Items for personal use that would not be reimbursable by the City.
  - 5. Video rental, "On Your Honor" bar purchases provided in hotel rooms.
- B. The City procurement card shall not be used for personal identification or as a personal credit reference.

#### **6. Dollar Limits**

- A. Monthly dollar limits will be established at \$3,500 per individual cardholder, except that department head limits will be \$5,000. Department cards will be set at a monthly limit of \$5,000.
- B. If the need arises, limits can be raised temporarily. The request will be approved by the Director of Finance after a written request, which can be made by email, by the individual or their direct supervisor. After the temporary need has expired, the limit will be reset according to 6.A.

#### **7. Use of Card and Transaction Records**

- A. Receipts and Invoices: An original receipt or invoice from the vendor, or other verifying document must support each purchase transaction. Receipts must be detailed, including meal receipts, listing items purchased. Cardholders shall upload receipt to the Wells Fargo system with one week following purchase and maintain a printed receipt for seven years. Extended storage of printed copies for departments can be maintained by department heads with assistance from the Finance Department.
- B. Internet Transactions: Cardholders shall confirm the security of proposed Internet order sites prior to placement of orders.

- C. Conference, Training, and Travel Transactions: Cardholders shall confirm budget approval prior to using cards for conference, training, or travel purposes. Expenditure limits will be in accordance with employee handbook policy for travel reimbursement.
- D. Telephone Orders: Cardholders shall confirm the security of proposed telephone orders prior to placement of orders.
- E. Pickup/In-Person Orders: Cardholders may use cards in accordance with the policies at places of business accepting the cards.
- F. Cardholder Verification: Each cardholder shall be responsible to verify documentation of each transaction during each billing period.

## **8. Payment**

- A. The Accounts Payable Clerk will process payments in accordance with the program policies and procedures, and the contract between the City and the card provider.

## **9. Disputed Charges**

- A. It is the responsibility of each cardholder to resolve any discrepancies between the transaction report for his or her card and the transaction receipts.
- B. All Department Heads shall have the authority to resolve disputes. This is intended to ensure timely resolution of disputes.

## **10. Program Violations**

### **A. Program Violations:**

- 1. Unallowable purchases: The cardholder will provide a written statement of explanation if an unallowable purchase appears on his or her statement or transaction log.
- 2. Unacceptable Documentation: The cardholder will provide required documentation upon notification to do so by the Payment Administrator.
- 2. Late Submission of Procurement Card Reconciliation Documents and/or Failure to Resolve Disputes: Late submissions and/or failure to resolve disputes may result in de-activation of the card.
- 3. Standards of Conduct Violations: Conduct not complying with City standards will be reported to the Program Administrator. In addition to card revocation, violations may result in disciplinary action up to, and including, termination.
- 4. Violations will be reported to the Program Administrator. In addition to temporary de-activation of the card, consequences of violations may include card revocation, payroll deduction for unallowable purchases and expenses that were not reconciled, and/or disciplinary action up to, and including termination.

*Adopted by City Council November 16, 2015, Amended October 7, 2019*

## **Returned Checks**

A service charge in the amount of \$30.00 shall be assessed to any customer whose check is returned unpaid by the bank on which it was drawn. If two (2) or more checks are dishonored within a six (6) month period, the City shall require future payments to be by cash, cashiers check, or postal money order.

*Adopted by City Council on August 4, 2008.*



## Continuing Disclosure Policy

### AND GUIDELINES FOR OPERATING UNDER CONTINUING DISCLOSURE OBLIGATIONS SECTION OF POST-ISSUANCE TAX COMPLIANCE AND RECORD RETENTION POLICY

#### Article I General Overview

Section 1.01 Purpose. This Continuing Disclosure Policy (“Policy”) of the City of Indianola, Iowa, (“Issuer”) is intended to ensure that the Issuer efficiently carries out its continuing disclosure obligations with respect to securities it issues or guarantees pursuant to Rule 15c2-12, as amended (the “Rule”), promulgated under the Securities Exchange Act of 1934, as amended.

Section 1.02. Background. The Rule prohibits underwriters from offering bonds to the public unless the issuer provides an official statement and contractually promises to provide specified disclosures as required in the Rule. To facilitate compliance with the Rule, each issuer must enter into a continuing disclosure agreement with the purchaser or underwriter in connection with each new issuance of obligations which fall within the Rule, thereby creating a contractual promise on behalf of the issuer to provide the market with these disclosures. The Issuer is responsible for ensuring that all disclosure documents contain accurate information. The SEC has asserted that, under Rule 10b-5, “disclosure documents used by municipal issuers, such as official statements, are subject to the prohibition against false or misleading statements of material facts, including the omission of material facts necessary to make the statements made, in light of the circumstances in which they were made, not misleading.”

Section 1.03. Obligations Subject to the Rule. Various offerings are fully or partially exempt from the continuing disclosure provisions under the Rule. Offerings with an aggregate original principal amount of less than \$1 million (“Small Offerings”), offerings sold prior to July 3, 1995 (“Old Offerings”) and offerings sold by an issuer directly to investors without using a broker, dealer, or municipal securities dealer as an underwriter or placement agent (“Direct Offerings”) are fully exempt from all continuing disclosure provisions under the Rule, unless the Issuer voluntarily agrees to provide continuing disclosures for an otherwise exempt Obligation. Such exempt offerings may constitute a reportable “Financial Obligation” under a continuing disclosure agreement entered into after February 27, 2019.

Section 1.04 Definitions. In addition to the terms defined above, the following capitalized terms shall have the following meanings:

- (A) “CAFR” means the Comprehensive Annual Financial Report of the Issuer.
- (B) “Disclosure Counsel” means legal counsel (which may be bond counsel under separate engagement for a series of Obligations) engaged for the purpose of assisting the Issuer in meeting its primary and secondary market disclosure obligations.
- (C) “EMMA” means the Electronic Municipal Market Access system of the

MSRB. Information regarding submissions to EMMA is available at <http://emma.msrb.org/>.

- (D) "Employee" means any person who, as part of his or her employment with the Issuer, has regular responsibility for the administration of matters related to Obligations.
- (E) "Financial Advisor" means a municipal advisor engaged for the purpose of assisting with the Issuer's structuring and sale of Obligations.
- (F) "Financial Obligation" means a (i) debt obligation<sup>2</sup>; (ii) derivative instrument entered in connection with or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii).

By way of further explanation of the definition:

- The term Financial Obligation is intended to distinguish debt, debt-like, and debt-related obligations (which could impact the City's liquidity, overall creditworthiness, or an existing Securities-holder's rights) from ordinary financial and operating obligations incurred in the normal course of City operations.
- The term Financial Obligation shall not include Securities as to which an official statement has been provided to the MSRB consistent with the Rule.
- The term Financial Obligation includes lease arrangements entered into by the City that operate as vehicles to borrow money, e.g. create an obligation to repay borrowed money over time under the terms of a lease equivalent to a similar obligation incurred under the terms of an indenture, loan agreement or similar contract, but does not include lease arrangements that are not vehicles to borrow money (e.g. operating leases) which do not represent competing debt of the City.
- A "derivative instrument" includes a swap, security-based swap, futures contract, forward contract, option, any combination of the foregoing, or any similar instrument to which the City is a counterparty, designed to hedge against the risks of a related debt obligation, as opposed to such vehicles designed to mitigate investment risk.

(G) The City should analyze each "Financial Obligation" upon the facts and circumstances in accordance with the Rule, and any subsequent guidance thereunder by the SEC. "Fiscal Year" means the fiscal year of the Issuer, beginning on July 1 of each year and ending on the last day of June of the following year, or any other consecutive twelve-month period adopted by the Governing Body or by law as the official accounting period of the Issuer.

(H) "Governing Body" means the City Council (the "Council") of the Issuer.

(I) "Issuer" means the City of Indianola, Iowa.

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<sup>2</sup> SEC guidance as of the date of the policy indicates the term "debt obligation" includes, but is not limited to: (1) any short-term or long-term debt obligation of the Issuer under the terms of an indenture, loan agreement or similar contract; (2) a direct purchase of municipal securities of the Issuer by an investor; (3) a direct loan to the Issuer by a bank; and (4) generally, lease arrangements entered into by the Issuer that operate as a vehicle to borrow money.

- (J) "Listed Event" means any of the events listed in Exhibit A of this Policy.
- (K) "MSRB" means the Municipal Securities Rulemaking Council or any other Council or entity which succeeds to the functions currently delegated to the Municipal Securities Rulemaking Council by the Rule.
- (L) "Obligations" means any securities issued by, or whose payment is guaranteed by the Issuer.
- (M) "SEC" means the United States Securities and Exchange Commission.

## Article II Key Participants and Responsibilities

Section 2.01. Disclosure Coordinator. By adoption of this Policy, the Finance Director is hereby appointed to act as the disclosure coordinator ("Disclosure Coordinator") of the Issuer.

Section 2.02 Responsibilities. The Disclosure Coordinator is responsible for the following tasks:

- (A) reviewing and approving all preliminary and final official statements relating to the Issuer's securities, together with any supplements, for which a continuing disclosure undertaking is required (each, an "**Official Statement**"), before such documents are released, in accordance with Article III below;
- (B) moderating City Council (or departmental, if delegated) approval of all Financial Obligations triggering a Listed Event Notice under any new continuing disclosure agreement entered into after February 27, 2019;
- (C) reviewing annually the Issuer's status and compliance with its continuing disclosure undertakings, including filings of disclosure documents and compliance with this Policy, in accordance with Articles IV (Annual Report Filings) and V (Listed Event Filings) below;
- (D) serving as a "point person" for personnel to communicate issues or information that should be or may need to be included in any disclosure document;
- (E) recommending changes to this Policy to the Governing Body as necessary or appropriate;
- (F) communicating with third parties, including coordination with outside consultants assisting the Issuer, in the preparation and dissemination of disclosure documents to make sure that assigned tasks have been completed on a timely basis and making sure that the filings are made on a timely basis and are accurate;
- (G) in anticipation of preparing disclosure documents, soliciting "material" information (as defined for purposes of federal securities law) from identified Employees;
- (H) maintaining records documenting the Issuer's compliance with this Policy; and

- (I) ensuring compliance with training procedures as described below.

The responsibilities of the Disclosure Coordinator to make certain filings with the MSRB under Articles IV (Annual Report Filings) and V (Listed Event Filings) may be delegated by contract to a dissemination agent, under terms approved by the Governing Body.

The Disclosure Coordinator shall instruct Employees of the obligation to communicate with the Disclosure Coordinator on any information relating to Financial Obligations or amendments to existing Financial Obligations promptly following occurrence.

### Article III *Official Statements*

3.01. Review and Approval of Official Statements. Whenever the Issuer Issues Obligations, a preliminary official statement and a final official statement may be prepared (“Official Statements”). Each of these Official Statements contains financial and other information relating to the Issuer. The Disclosure Coordinator, with assistance from any retained Disclosure Counsel and/or Financial Advisor, shall have primary responsibility for ensuring that all such information is accurate and not misleading in any material aspect. The Official Statement shall also include a certification that the information contained in the Official Statement regarding the Issuer, as of the date of each official statement, does not contain any untrue statement of material fact or omit to state any material fact necessary to make the information contained in the Official Statement, in light of the circumstances under which it was provided, not misleading. When undertaking review of a final or preliminary Official Statement, the Disclosure Coordinator shall:

- (A) review the Official Statement and confirm that there are no misstatements or omissions of material information in any sections and that the Official Statement accurately states all material information relating to the Issuer and that all information relating to the Issuer has been critically reviewed by the appropriate person(s) for a given department responsible for the information referenced therein;
- (B) draft, or cause to be drafted, for the Official Statement descriptions of (i) any material current, pending or threatened litigation, (ii) any material settlements or court orders and (iii) any other legal issues that are material information for purposes of the Official Statement; and
- (C) report any significant disclosure issues and concerns to Disclosure Counsel and/or Financial Advisor.

Section 3.02. Submission of Official Statements to the Governing Body for Approval. The Disclosure Coordinator shall submit all Official Statements to the Governing Body for review and approval. The approval of an Official Statement by the Governing Body shall be docketed as a new business matter and shall not be approved as a consent item. The Governing Body shall undertake such review as deemed necessary by the Governing Body, following consultation with the Disclosure Coordinator, to fulfill the Issuer’s responsibilities under applicable federal and state securities laws.

Article IV  
*Annual Report Filings*

Section 4.01. Overview. Under the continuing disclosure undertakings, the Issuer has entered into in connection with its debt offerings, the Issuer is required each year to file annual reports with the MSRB's EMMA system in accordance with such undertakings. Such annual reports are generally required to include: (1) certain updated financial and operating information, and (2) the Issuer's audited financial statements. The documents, reports and notices required to be submitted to the MSRB pursuant to this Policy shall be submitted through EMMA in an electronic format, and shall be accompanied by identifying information, in the manner prescribed by the MSRB, or in such other manner as is consistent with the Rule. A description of the format and information presently prescribed to be filed with EMMA is included in Exhibits A - C. To facilitate the Issuer's continuing disclosure undertakings the Disclosure Coordinator shall:

- (A) maintain a record of all continuing disclosure obligations of the Issuer using a chart substantially in the form attached as Exhibit C, which shall identify and docket all continuing disclosure deadlines;
- (B) schedule email reminders on the EMMA website for each Obligation to help ensure timely filing of financial disclosures;
- (C) ensure that preparation of the Issuer's annual reports commence as required under each specific continuing disclosure undertaking;
- (D) comply with the Issuer's obligation to file annual reports by submitting or causing the required (i) annual financial information and operating data and (ii) audited financial statements (all of which may be included in the Issuer's CAFR) to be submitted to the MSRB through EMMA. If within a continuing disclosure agreement, the Issuer has agreed to furnish information that is outside the scope of the CAFR, the Issuer shall file a supplement to the CAFR when filing with the MSRB through EMMA;
  - a. If the event the Issuer does not have audited financial statements available by the filing deadline imposed by the continuing disclosure agreement, the Disclosure Coordinator shall instead submit the Issuer's unaudited financial statements and follow the requirements of the continuing disclosure agreement with respect thereto. Audited financial statements shall be filed as soon as available.
  - b. All documents submitted to the MSRB through EMMA that are identified by specific reference to documents already available to the public on the MSRB's Internet website or filed with the SEC shall be clearly identified by cross reference;
  - c. Not more than five (5) days after the submission deadline, the Disclosure Coordinator shall confirm and document in accordance with Section 6.01 hereof that Annual Reports have been submitted and filed properly with the MSRB through EMMA; and

File a “failure to file notice” as needed in accordance with the Rule. The failure to file notice shall include information describing the nature and/or cause of the failure to meet the contractual deadline and, if available, an approximate timeframe for when the complete information is expected to be submitted.

## Article V *Listed Event Filings*

Section 5.01. Disclosure of Listed Events. Pursuant to Rule 15c2-12(b)(5)(i)(C), the Issuer is obligated to disclose to the MSRB notice of certain specified events with respect to the Issuer’s Obligations (a “Listed Event”). All Employees shall be instructed to notify the Disclosure Coordinator if he or she becomes aware of any of the Listed Events listed in the Issuer’s continuing disclosure undertakings. The Disclosure Coordinator may consult with Disclosure Counsel, or the Financial Advisor, to discuss the event and to determine whether a filing is required or is otherwise desirable. If such a filing is deemed necessary, the Disclosure Coordinator shall cause a notice of the Listed Event (a “**Listed Event Notice**”) that complies with Rule 15c2-12 to be prepared, and the Disclosure Coordinator shall file, or cause to be filed, the Listed Event Notice as required by Rule 15c2-12 as follows:

- (A) Prior to issuance of new Securities after February 27, 2019, a complete list of current Financial Obligations shall be compiled in accordance with Exhibit D hereof and submitted to the Disclosure Coordinator for continuous monitoring with regard to compliance with all Disclosure Agreements entered into on or after February 27, 2019.
- (B) The Disclosure Coordinator shall monitor and periodically review the Listed Events identified on Exhibit A, in connection with the Obligations identified on the Chart in Exhibit C to determine whether any event has occurred that may require a filing with EMMA.
- (C) The Disclosure Coordinator shall file, in a timely manner, a notice of the occurrence of any Listed Event or Events with the MSRB via EMMA with respect to any Obligations to which the Listed Event or Events are applicable, in a timely manner not in excess of ten (10) business days after the occurrence of the Listed Event.
- (D) The Disclosure Coordinator shall subscribe to any available ratings agency alert service regarding the ratings of any Obligations.

## Article VI Miscellaneous

Section 6.01. Documents to be Retained. The Disclosure Coordinator shall be responsible for retaining records demonstrating compliance with this Policy. The Disclosure Coordinator shall retain an electronic or paper file (“Transcript”) for each continuing disclosure Annual Report Filing that the Issuer completes, and for each Listed Event Filing that the Issuer completes. Each Transcript shall include final versions of documents submitted to the MSRB through EMMA. The Transcript shall be maintained for a period of eleven (11) years from the final retirement of the Obligations.

Section 6.02. Education and Training. The Issuer shall conduct periodic training to assist the Disclosure Coordinator, all Employees and the Governing Body in understanding and

performing their responsibilities under this Policy. Such training sessions shall include a review of this Policy, the Issuer's disclosure obligations under applicable federal and state securities laws, including the Listed Events in Exhibit A, and the disclosure responsibilities and potential liabilities of members of Issuer staff and members of the Governing Body. Such training sessions may include meetings with Disclosure Counsel, teleconferences, attendance at seminars or conferences where disclosure responsibilities are discussed, and/or recorded presentations. Disclosure Coordinator shall maintain a record of training activities in furtherance of this Policy.

Section 6.03. Public Statements Regarding Financial Information. Whenever the Issuer makes statements or releases information relating to its finances to the public that is reasonably expected to reach investors and the trading markets (including, without limitation, all Listed Event notices, statements in the CAFR, and other financial reports and statements of the Issuer), the Issuer is obligated to ensure that such statements and information are complete, true, and accurate in all material aspects. The Disclosure Coordinator shall assist the Governing Body in ensuring that such statements and information are accurate and not misleading in any material aspect. Investment information published on the Issuer's website may include a cautionary statement referring investors to EMMA as the official repository for the Issuer's Securities-related data.

## EXHIBIT A LISTED EVENTS

*The Disclosure Coordinator should periodically review this list to determine whether any event has occurred that may require a filing with EMMA.*

*The following events automatically trigger a requirement to file on EMMA within ten (10) business days of their occurrence (listed events are subject to change by the SEC):*

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, *if material*;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, *if material*;
- (8) Bond calls, *if material*, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, *if material*;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person<sup>3</sup>;

Note to paragraph (12):

The event is considered to occur when any of the following occur: The appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

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<sup>3</sup> The term "obligated person" for purposes of the Rule shall mean the party, if other than the Issuer, responsible for the obligations subject to the Rule, e.g. in a conduit issue sold through the Issuer, the conduit party would be the "obligated person" under the continuing disclosure agreement.



(13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, *if material*;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, *if material*;

*The following events trigger a requirement to file notice of their occurrence on EMMA within ten (10) business days after their occurrence, and apply to continuing disclosure agreements entered into by the Issuer on or after February 27, 2019:*

(15) Incurrence of a Financial Obligation of the obligated person, *if material*<sup>4</sup>, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, *if material*\*; and

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.

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<sup>4</sup> Materiality is determined upon the incurrence of each distinct Financial Obligation, taking into account all relevant facts and circumstances. A Financial Obligation is considered to be incurred when it is enforceable against the City. Listed Event Notices for Financial Obligations (e.g. under 15 and 16 above) should generally include a description of the material terms of the Financial Obligation, including: (i) date of the incurrence, (ii) principal amount, (iii) maturity and amortization; (iv) interest rate(s), if fixed, or method of computation, if variable, (v) other appropriate terms, based on the circumstances. In addition to a summary of material terms, the City may alternatively, or in addition, submit related materials, such as transaction documents (which may require some redaction), terms sheets prepared in connection with the Financial Obligation, or continuing covenant agreements or financial covenant reports.

## EXHIBIT B

### **Suggested Practices in Submitting Annual Financial Information to EMMA\***

#### ***Annual Financial Information is to be submitted to EMMA as follows:***

- through the EMMA Dataport;
- in one or more electronic word-searchable portable document format files configured to permit documents to be saved, viewed, printed and retransmitted by electronic means (“properly formatted pdf file”); and
- indexed by the submitter as “Annual Financial Information and Operating Data” – this EMMA indexing category should be used for all submissions consisting of one or both parts of an annual financial information submission. A submission should be indexed in EMMA by the submitter as “Annual Financial Information and Operating Data” if it consists of complete annual financial information (including audited financial statements and/or the CAFR).

#### **If the audited financial statements have not been prepared in time to meet the deadline:**

file unaudited financial statements with a notice to the effect that the unaudited financial statements are being provided pending completion of audited financial statements and that the audited financial statements will be submitted to EMMA when they have been prepared.

#### **If annual financial information is provided by reference to other submitted documents file:**

a notice that includes specific reference to a document available on the EMMA website or the SEC (such as, but not limited to, an official statement), to the extent that such document in fact includes the information required to be included in the annual financial information; and

the submitter should confirm that such document in fact is available from the EMMA website or the SEC and should include in such notice (A) a textual description of the document that includes the required information, with sufficient detail for a reasonable person to determine the precise document being referenced, and (B) an active hyperlink to the pdf file of such document as then posted on the EMMA website or to the SEC’s EDGAR system; further, if such document includes audited financial statements, the submitter should also index such submission as “Audited Financial Statements or CAFR” in addition to (but not instead of) “Annual Financial Information and Operating Data” unless the submitter submits such audited financial statements separately to EMMA.

#### **Failure to file notices are to be submitted to EMMA as follows:**

through the EMMA Dataport;

- as an electronic word-searchable and properly formatted pdf file; and
- indexed by the submitter as “Failure to Provide Annual Financial Information.”  
\* *Procedures subject to change.*

**EXHIBIT C**

**DEBT INVENTORY & CONTINUING DISCLOSURE SUMMARY**

*Update and complete with each new issue of Obligations, and upon any disclosure filing*

NAME OF ISSUE/PRINCIP AL AMOUNT	DATE OF ISSUE	FINAL MATURIT Y DATE	CUSIP FOR FINAL MATURIT Y	DATE BY WHICH ANNUAL REPORTS MUST BE FILED (OR “EXEMPTION” UNDER THE RULE)	ANNUAL REPORTS INFORMATION TO BE FILED	SOURCE OF INFORMATI ON	DATE INFORMATI ON WAS FILED

**EXHIBIT D**  
**FINANCIAL OBLIGATION INVENTORY**  
Update Upon Incurrence

DESCRIPTION OF SECURITY AND ORIGINAL PAR AMOUNT	DATE INCURR ED	FINAL PAYMENT DATE	MATERIAL TERMS (RATES/PAYMENT/ DEFAULT/REMEDIES)	PLEDGED SECURITY	SOURCE OF INFORMATION	DATE INFORMATIO N WAS FILED ON EMMA

## **Indianola, Iowa**

### **Post-Issuance Tax Compliance and Record Retention Policy**

#### **Definitions**

“Advisors” means the Issuer’s Bond Counsel, Financial Advisor, paying agent, and Rebate Analyst.

“Bonds” mean bonds, notes or other obligations subject to the Code, Rules and applicable securities regulations.

“Code” means the Internal Revenue Code of 1986, as amended.

“Governing Body” means the City Council of the Issuer.

“Issuer” means the City of Indianola, in the County of Warren, State of Iowa.

“Rules” means Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended, and the U.S. Treasury Regulations promulgated thereunder.

#### **Purpose**

Issuers of tax-exempt governmental Bonds must comply with federal tax rules pertaining to expenditure of proceeds for qualified costs, rate of expenditure, use of bond financed property, investment of proceeds in compliance with arbitrage rules, and retention of records.

As an issuer of such Bonds, the Governing Body, is required by Rules to take certain actions subsequent to the issuance of the Bonds to ensure the continuing tax-exempt status of such Bonds. Further, Section 6001 of the Code and Section 1.6001-1(a) of the Treasury Regulations impose record retention requirements on the Issuer with respect to its tax-exempt governmental Bonds. This policy is designed to ensure that the Issuer complies with its tax compliance obligations under applicable provisions of the Rules.

#### **Effective Date and Term**

The effective date of this policy shall be the date of approval by the Governing Body, and shall remain in effect until superseded or terminated by action of the Governing Body. The Issuer shall comply with this policy upon issuance of Bonds and as long as the Bonds remain outstanding. This policy may be revised to comply with amendments to the Rules during the period the Bonds are outstanding.

#### **Responsible Parties**

The Finance Director shall be the party primarily responsible for ensuring that the Issuer successfully carries out its tax compliance requirements under applicable provisions of the Rules with regard to all obligations of the Issuer. The Finance Director is referred to as the “Compliance Officer” for purposes of this policy. The Compliance Officer shall be assisted by other staff and officials when appropriate and at the Compliance Officer’s discretion. The Compliance Officer shall also be authorized to retain and consult with the Advisors during the time the Bonds are outstanding for assistance in carrying out post-issuance tax compliance requirements.

The Compliance Officer shall be responsible for assigning post-issuance tax compliance responsibilities to other staff. The Compliance Officer shall consult Advisors or such other professional service organizations as are necessary to ensure compliance with the post-issuance tax compliance requirements of the Issuer. The Compliance Officer shall provide training and educational resources to staff responsible for ensuring compliance with any portion of the tax compliance requirements of this policy.

**Expenditure of Bond Proceeds -- Review Process:**

The Compliance Officer shall review the resolution authorizing issuance for each tax-exempt obligation, and shall:

- a) obtain a computation of the yield on such issue from the Issuer's financial advisor;
- b) create a separate Project Fund (with as many sub-funds as shall be necessary to allocate proceeds among the projects being funded by the issue) into which the proceeds of issue shall be deposited;
- c) review all requisitions, draw schedules, draw requests, invoices and bills requesting payment from the Project Fund;
- d) determine whether payment from the Project Fund is appropriate, and if so, make payment from the Project Fund (and appropriate sub-fund if applicable);
- e) maintain records of the payment requests and corresponding cancelled checks showing payment;
- f) consult with the Advisors to ensure that such expenditures are within the sixty (60) day period prior to the date in which the Issuer made a "declaration of intent" to reimburse such costs or are preliminary expenditures under the Code, in the event the Issuer seeks to utilize bond proceeds for costs that were incurred prior to the issuance of the bonds. If proceeds are used for such reimbursement, a copy of the declaration of intent shall be obtained and included in the records for the Bonds if not already part of the transcript.;
- g) maintain records showing the earnings on, and investment of, the Project Fund;
- h) ensure that investments acquired with proceeds are purchased at fair market value;
- i) identify bond proceeds or applicable debt service allocations that must be invested with a yield-restriction and monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted; and
- j) If not otherwise provided for in the Tax Exemption Certificate executed by the officers of the Issuer at closing, the Compliance Officer shall prepare an "allocation memorandum" for each issue of Bonds that accounts for the allocation of the proceeds of the Bonds to expenditures not later than the earlier of:
  - Eighteen (18) months after the later of (i) the date the expenditure is paid, or (ii) the date the project that is financed by the Bonds is placed in service; or
  - Sixty (60) days after the earlier of (i) the fifth (5th) anniversary of the issue date of the Bonds, or (ii) the date sixty (60) days after the retirement of the Bonds.

**Rate of Expenditure:**

The Compliance Officer shall ensure that the expenditure of bond proceeds will be monitored against the expenditure expectations represented in the Tax Exemption Certificate for such bond issue to ensure that:

- Five percent (5%) of the net sale proceeds were spent or committed within six (6) months of the issue date;
- Eighty-five percent (85%) of the net sale proceeds were spent within three (3) years of the issue date; and

- the Issuer proceeded with due diligence to complete the project and fully spend the net sale proceeds; or
- One hundred percent (100%) of proceeds used for current refunding within ninety (90) days of issuance.

Failure to meet the expected expenditure expectations represented in the Tax Exemption Certificate for such bond issue shall be documented and retained by the Compliance Officer in the records for the bond issue.

### **Arbitrage Rules and Rebate Requirements**

The Compliance Officer shall review the Tax-Exemption Certificate for each tax-exempt obligation, and the expenditure records, and shall:

- a) monitor and ensure that proceeds of each such issue are spent within the temporary period set forth in such certificate;
- b) if the “small issuer” exception does not apply (not more than \$5 million issued in a calendar year), monitor and ensure that the proceeds are spent in accordance with one or more of the applicable exceptions to rebate as set forth in such certificate (e.g. six month exception, eighteen month exception, two year “construction issue” exception);
- c) not less than sixty (60) days prior to a required expenditure date within applicable rebate exception(s), confer with bond counsel if it appears expenditures will fail to meet the applicable temporary period or rebate exception expenditure requirements of the Tax-Exemption Certificate;
- d) in the event of failure to meet a temporary period or rebate exception:
  - i. procure a timely computation of any rebate liability and, if rebate is due, file a Form 8038-T and arrange for payment of such rebate liability;
  - ii. arrange for timely computation and payment of “yield reduction payments” (as such term is defined in the Code and Treasury Regulations), if applicable;
- e) ensure that the investment of bond proceeds is made only in permitted investments of the Issuer as outlined in Iowa Code chapters 12B and 12C, and any official policy;
- f) consult with the Advisors to ensure that the investment of bond proceeds is performed in compliance with the arbitrage rules and rebate requirements;
- g) consult with the Advisors to identify bond proceeds that must be yield-restricted and shall monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted;
- h) contact the Rebate Analyst (and, if appropriate, bond counsel) prior to the fifth anniversary of the date of issuance of each issue of bonds of the Issuer and each fifth anniversary thereafter to arrange for calculations and reports of the rebate requirements with respect to such bonds;
- i) if a rebate payment is required to be paid by the Issuer, the Compliance Officer shall prepare or cause to be prepared the appropriate form to be filed with the IRS (Form 8038-T);

- j) The Compliance Officer shall ensure that guaranteed investment contracts (GIC) will be purchased only using the three-bid “safe harbor” of applicable Treasury regulations, in compliance with fee limitations on GIC brokers in the regulations. The Compliance Officer shall ensure that all other investments will be purchased only in market transactions.

### **Filings with Internal Revenue Service**

The Compliance Officer, with assistance from Bond Counsel, shall ensure that each issuance of Bonds is properly reported with the Internal Revenue Service (IRS) as required by Section 149(e) of the Code. On the issue date of each series of Bonds, the Compliance Officer shall consult with the Advisors to identify the deadline to file the requisite IRS form for such issue.

If a bond issue consists of tax-exempt Bonds, the Issuer must report the tax-exempt portion on Form 8038-G or 8038-GC.

### **Reporting the Issuance of Tax-Exempt Bonds**

The original issuance of a tax-exempt bond issue with an issue price of one-hundred thousand dollars (\$100,000) or greater shall be reported on Form 8038-G. The original issuance of a tax-exempt bond issue with an issue price less than one-hundred thousand dollars (\$100,000) shall be reported on Form 8038-GC.

- Forms 8038-G and 8038-GC shall be filed by the Compliance Officer or Bond Counsel no later than the 15th day of the 2nd calendar month following the quarter in which the Bonds were issued.
- The Compliance Officer shall consult with the Advisors to ensure the Form 8038-G is accurately filled out.

### **Rebate Reporting Requirements**

The Compliance Officer shall contact the rebate analyst prior to the 5th anniversary of the issue date on each series of Bonds and each 5th anniversary thereafter to arrange for calculations of the rebate requirements with respect to such Bonds. If a rebate payment is required to be paid, the Compliance Officer shall prepare or cause to be prepared a Form 8038-T, and submit such Form 8038-T to the IRS with the required rebate payment.

If the Issuer is authorized to recover a rebate payment previously paid, the Compliance Officer shall prepare or cause to be prepared a Form 8038-R, with respect to such rebate recovery, and submit such Form 8038-R to the IRS.

### **Use of Bond-Financed Property**

The Compliance Officer shall monitor the use of all bond-financed facilities in order to determine whether private business uses of bond-financed facilities have exceeded the de minimis limits set forth in Section 141(b) of the Code (generally 10% of bond proceeds) as a result of leases and subleases, licenses, management contracts, research contracts, naming rights agreements or other arrangements that provide special legal entitlements to nongovernmental persons. Prior to entering into such leases or other contracts, the Compliance Officer shall consult with Bond Counsel to ensure appropriate action is taken with respect to the bond-financed facilities.

To this end, the Compliance Officer shall:

- a) maintain appropriate records and a list of all bond financed assets. Such records shall include the actual amount of proceeds (including investment earnings) spent on each of the bond financed assets;
- b) with respect to each bond financed asset, the Compliance Officer will monitor and confer with bond counsel with respect to all proposed:



- i. management contracts,
  - ii. service agreements,
  - iii. research contracts,
  - iv. naming rights contracts,
  - v. leases or sub-leases,
  - vi. joint venture, limited liability or partnership arrangements,
  - vii. sale of property;
  - viii. any other change in use of such asset; or
  - ix. output contracts (including retail and wholesale requirements contracts);
- c) maintain a copy of the proposed agreement, contract, lease or arrangement, together with the response by bond counsel with respect to the proposal for at least three (3) years after retirement of all tax-exempt obligations issued to fund all or any portion of bond financed assets, or obligations issued to refund those obligations;
- d) provide training and educational resources to any staff member that has the primary responsibility for the operation, maintenance, or inspection of bond-financed facilities with regard to the limitations on the private business use and on the private security or payments with respect to bond-financed facilities;
- e) ensure that no item of bond-financed property will be sold or transferred to a nonexempt party without advance arrangement of a “remedial action” under the applicable Treasury Regulations and the Compliance Officer shall consult with bond counsel prior to the sale or transfer of any bond-financed property; and
- f) In the event of an action with respect to a bond financed asset, which may cause the private business tests or private loan financing test to be met, the Compliance Officer shall contact bond counsel for advice and ensure timely remedial action under IRS Regulation Sections 1.141-12.

### **Advance Refundings**

The Compliance Officer shall be responsible for the following current, post issuance and record retention procedures with respect to advance refunding bonds:

- a) Identify and select bonds to be advance refunded with advice from internal financial personnel, and/or the Issuer’s Financial Advisor;
- b) Identify, with advice from Advisors, any possible federal tax compliance issues prior to structuring any advance refunding;
- c) Review the structure with the input of the Advisors, of advance refunding issues prior to the issuance to ensure (i) that the proposed refunding is permitted pursuant to applicable federal tax requirements if there has been a prior refunding of the original bond issue; (ii) that the proposed issuance complies with federal income tax requirements which might impose restrictions on the redemption date of the refunded bonds; (iii) that the proposed issuance complies with federal income tax requirements which allow for the proceeds and replacement proceeds of an issue to be invested temporarily in higher yielding investments without causing the advance refunding bonds to become “arbitrage bonds”; and (iv) that the proposed issuance will not result in the Issuer’s exploitation of the difference between tax exempt and taxable interest rates to obtain a financial advantage nor overburden the tax exempt market in a way that might be considered an abusive transaction for federal tax purposes.

d) Collect and review data related to arbitrage yield restriction and rebate requirements for advance refunding bonds. To ensure such compliance, the Compliance Officer shall engage a rebate consultant to prepare a verification report in connection with the advance refunding issuance. Said report shall ensure said requirements are satisfied.

e) Ensure, whenever possible, the purchase of demand deposit Treasury securities from the State and Local Governmental Series (“SLGS”) to size each advance refunding escrow. The Financial Advisor shall be included in the process of subscribing SLGS. To the extent SLGS are not available for purchase, the Compliance Officer shall, in consultation with Bond Counsel and the Financial Advisor, comply with IRS regulations.

f) To the extent as Issuer elects to the purchase a guaranteed investment contract, the Compliance Officer shall ensure, after input from Bond Counsel, compliance with any bidding requirements set forth by the IRS regulations.

g) In determining the issue price for any advance refunding issuance, the Compliance Officer shall obtain and retain issue price certification by the purchasing underwriter at closing.

h) After the issuance of an advance refunding issue, the Compliance Officer shall ensure timely identification of violations of any federal tax requirements and engage Bond Counsel in attempt to remediate same in accordance with IRS regulations.

### **Record Retention**

Management and retention of records related to the Issuer’s bond issues shall be supervised by the Compliance Officer. Records and documents pertaining to cancellation, transfer, redemption or replacement of Issuer bonds shall be preserved by the Issuer or its agent for a period of not less than 11 years, as set forth in Iowa Code Section 76.10. Other records shall be retained during the period in which the bonds remain outstanding (plus any refunding bonds) plus three (3) years. Records may be in the form of documents and electronic copies of documents, appropriately indexed to specific bond issues and compliance functions.

The Compliance Officer shall collect and retain the following records with respect to each issue of Bonds of the Issuer and with respect to the facilities financed with the proceeds of such Bonds:

- audited financial statements of the Issuer;
- appraisals, demand surveys, or feasibility studies, if any, with respect to the facilities to be financed with the proceeds of such Bonds;
- publications, brochures, and newspaper articles, if any, related to the bond financing;
- trustee or paying agent statements;
- records of all investments and the gains (or losses) from such investments;
- paying agent or trustee statements regarding investments and investment earnings;
- reimbursement resolutions, if any, and expenditures reimbursed with the proceeds of such Bonds;
- allocations of proceeds to expenditures (including costs of issuance) and the dates and amounts of such expenditures (including any requisitions, expenditure/draw schedules, expenditure/draw requests, invoices, bills, and cancelled checks with respect to such expenditures;
- contracts entered into for the construction, renovation, or purchase of bond-financed facilities;
- an asset list or schedule of all bond financed depreciable property and any depreciation schedules with respect to such assets or property;
- records of the purchases and sales of bond-financed assets;
- private business uses of bond-financed facilities that arise subsequent to the date of issue through leases and subleases, licenses, management contracts, research contracts, naming rights agreements, or other arrangements that provide special legal entitlements to nongovernmental persons and copies of

any such agreements or instruments; arbitrage rebate reports and records of rebate and yield reduction payments, if any; resolutions or other actions, if any, taken by the Board of Education subsequent to the date of issue with respect to such Bonds;

- formal elections authorized by the Code or Treasury Regulations that are taken with respect to such bonds;
- relevant correspondence relating to such Bonds;
- documents related to guaranteed investment contracts or certificates of deposit, credit enhancement transactions, and financial derivatives entered into subsequent to the date of issue;
- copies of any and all forms filed with the IRS for each series of Bonds including, as applicable, Form 8038-G, Form 8038-GC, Form 8038-T and Form 8038-R; and
- the official transcript prepared by Bond Counsel with respect to each series of Bonds of the Issuer.

### **Identification of Violations and Corrections**

If, during the period the Bonds remain outstanding, it is determined that a violation of federal tax requirements has occurred, the Compliance Officer shall immediately consult with the Advisors to ensure that corrective or remedial action is taken. In consultation with Bond Counsel, the Compliance Officer shall become acquainted with the remedial actions under Treasury Regulations, Section 1.141-12, to be utilized in the event that private business use of bond- financed facilities exceeds the de minimus limits under Section 141(b)(1) of the Code. In consultation with Bond Counsel, the Compliance Officer shall become acquainted with the Tax Exempt Bonds Voluntary Closing Agreement Program, described in Notice 2008-31, 2008-11 I.R.B. 592, to be utilized as a means for an issuer to correct any post-issuance infractions of the Rules with respect to its outstanding Bonds.

### **Continuing Disclosure Obligations**

In addition to its post-issuance compliance requirements under applicable provisions of the Rules, the Issuer has agreed to provide continuing disclosure, such as annual financial information and event notices, pursuant to a continuing disclosure certificate or similar document (the “Continuing Disclosure Certificate”) prepared by Bond Counsel and made a part of the transcript with respect to each issue of Bonds of the Issuer that is subject to such continuing disclosure requirements. The Continuing Disclosure Documents shall be executed by the Issuer to assist the underwriters of the Issuer’s Bonds in meeting their obligations under Securities and Exchange Commission Regulation, 17 C.F.R. Section 240.15c2-12, as in effect and interpreted from time to time (“Rule 15c2-12”). The continuing disclosure obligations of the Issuer shall be governed by the Continuing Disclosure Certificate and by the terms of Rule 15c2-12. The Compliance Officer shall be primarily responsible for undertaking such continuing disclosure obligations and to monitor compliance with such obligations in accordance with the City’s Disclosure Policy.

### **Other Post-Issuance Actions**

If, in consultation with the Advisors, the Compliance Officer determines that any additional action not identified in this policy must be taken by the Compliance Officer to ensure the continuing tax-exempt status or “qualified” status of any issue of the Issuer’s Bonds, the Compliance Officer shall take such action if the Compliance Officer has the authority to do so. If, after consultation with the Advisors, the Compliance Officer determines that this policy shall be amended or supplemented to ensure the continuing tax-exempt status or “qualified” status of any issue of the Issuer’s Bonds, the Compliance Officer shall follow the appropriate Issuer policy that this document be so amended or supplemented.

### **Taxable Governmental Bonds**

Most of the provisions of this policy, other than the provisions Continuing Disclosure Obligations subsection of this policy, are not applicable to governmental Bonds the interest on which is includable in gross income for federal income tax purposes (i.e. “taxable governmental Bonds”). If an issue of taxable governmental Bonds is later refunded with the proceeds of an issue of tax-exempt governmental Bonds, then the uses of the proceeds of the taxable governmental Bonds and the uses of the facilities financed with the proceeds of the

taxable governmental Bonds shall be relevant to the tax-exempt status of the refunding Bonds. Therefore, if there is any reasonable possibility that an issue of taxable governmental Bonds may be refunded, in whole or in part, with the proceeds of an issue of tax-exempt governmental Bonds then, for purposes of this policy, the Compliance Officer shall treat the issue of taxable governmental Bonds as if such issue were an issue of tax-exempt governmental Bonds and shall carry out and comply with the requirements of this policy with respect to such taxable governmental Bonds. The Compliance Officer shall seek the advice of Bond Counsel as to whether there is any reasonable possibility of issuing tax-exempt governmental Bonds to refund an issue of taxable governmental Bonds.

*\*Adopted by City Council on November 4, 2019*

## Public Purpose Policy

1. **PURPOSE:** The purpose of the policy is to establish a public purpose policy for certain expenditures. The City Council of the City of Indianola believes that the expenditures cited below serve a general public purpose in recruitment of key employees and improved employee training and public service.
2. **PUBLIC PURPOSE EXPENDITURES:** The expenditures listed below serve a general public purpose in the recruitment of quality department heads and maintaining the service delivery of employees to the citizens of Indianola: At no time will public funds be spent on alcoholic beverages.
  - a. **Employee Recruitment:** The expenditure of funds for food and drink for the recruitment of department head employees as deemed necessary by the City Manager or Director of Finance.
  - b. **Employee Training:** The expenditure of funds for refreshments for the training of employees. This expenditure will be approved by the department head of the department holding the training and will be paid by funds of the same department as allocated for training. It will be the determination of the City Manager or Director of Finance if such expenditure is considered excessive and will take such corrective action as deemed necessary.
  - c. **Sustenance Supplies:** The expenditure of funds for sustenance supplies, including, coffee, coffee creamer, coffee filters, sweetener, paper products including plates, cups, and utensils, paper towels or napkins, and any products deemed necessary by the City Manager or Director of Finance falling under the term “sustenance”. The expenditure will be made by the department for which the supplies will be utilized.
  - d. **Promotional Items:** The expenditure of promotional material for city departments and activities, for such items as stress relievers, pencil, pens, and coasters. The annual expenditure on such items for each department shall not be in excess of \$1000.
  - e. **Employee Recognition Events:** The expenditure of funds for employee recognition events authorized by the Indianola City Council either by a one-time approval or through the annual budgeting process (i.e. annual awards banquet).
  - f. **Funeral or Get-Well Flowers/Memorials:** The expenditure of flowers or other items not exceeding the amount of \$100 for employees or family members in the case of death or extended hospitalization as approved by the City Manager.

*Adopted by City Council on September 3, 2019*

## **Surplus Property Disposal Policy**

### **I. GENERAL**

- a. “Surplus property” is defined as City owned property that no longer is needed or has no practical use to a particular City Department (hereafter “Surplus Property” or “Property”).
- b. Items seized, confiscated, or found by the Police Department shall be handled and disposed of in accordance with applicable Federal, State, and local requirements (hereafter “Seized Property” or “Unclaimed Property”).
- c. Surplus property shall be disposed of in accordance with this policy. Seized Property and Unclaimed Property may be disposed of in accordance with this policy. All Surplus, Seized and Unclaimed Property is disposed of “as is” and “where is”, with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility or use-ability of the property offered.
- d. It is critical to maintain a trail of documentation for audit purposes regarding the disposition of Property of the City of Indianola (hereafter “City”).

### **II. RESPONSIBILITIES**

- a. It shall be the responsibility of the head of the department with the Property to notify the City Manager of the surplus property it has in its possession.
- b. The method of disposal shall be determined by the Department Head and the City Manager, or his Designee, in accordance with this Policy. The Department with Property for disposal is responsible to provide information to the Finance Department including brief description and estimated value. Each department will maintain storage of Property until final disposal.
- c. The Finance Department shall be responsible for coordination of the disposal process for all Property except as indicated below:
  - i. Disposition of real estate or any interest in land requires a resolution of the City Council after published notice and public hearing in accordance with the Code of Iowa. All dispositions of real estate or land interest shall be the responsibility of the City Clerk's office, with the assistance/coordination of the City Attorney.
  - ii. Seized and Unclaimed Property within the Police Department shall be handled and disposed of in accordance with applicable Federal, State, and local requirements.
  - iii. Items purchased with grant funds shall be disposed of in accordance with applicable grant requirements.
  - iv. Computers and Electronic Data Storage Equipment are defined as any equipment that contains electronic data or is procured or managed by the outside Information Technology (IT) staff. Such items shall be returned to the IT staff for proper data wiping and disposal. This includes, but is not limited to Computers, Laptops, Tablets, Servers, Backup Tapes and Media Switches, Routers and Hubs, Phones, Printers, Fax Machines, Copiers, Scanners, Monitors, and External Hard Drives.
    1. When deemed appropriate by current IT standards, IT staff will wipe any data or configuration on the equipment. For servers, backup media, or any equipment in which data wiping is not feasible, staff will physically remove the data storage components for destruction of the data or configuration by physical or other permanent means.

2. When deemed appropriate, some computer and electronic data equipment may be disposed of in accordance with section III of this Policy.
3. Any optical media, including writable CD and DVD media, containing City data shall be disposed of by individual departments using the City's shredding procedures.
- v. Any electronic data consisting of records covered by the record retention manual shall be retained until such time as noted in the record retention manual, where under storing the records is no longer required or that the records have no further value.

### **III. METHODS OF DISPOSAL**

Based on review by the City Manager or Designee, with input from department representatives, the following methods will be considered for disposal of surplus property:

- a. Transfer to other departments: Surplus Property may be transferred to another City department. The departments involved in the transfer shall exchange purchase information, service manuals and service records and all other applicable information regarding the Property.
- b. Trade-in of Surplus Property: Surplus Property may be used in trade if determined to provide maximum return for the City.
- c. Sale of Surplus Property:
  - i. The Department representative shall provide an estimated value of the Surplus Property sought for sale to the City Clerk/Finance Director
    1. Property with an estimated value in excess of \$5,000 requires City Council approval prior to sale.
    2. Property with an estimated value less than \$5,000 and more than \$1,000 requires City Manager approval prior to sale.
    3. Property with an estimated value less than \$1,000 requires Department Director approval prior to sale.
  - ii. Surplus Property may be sold by public auction, including public auctions of other government agencies.
    1. Surplus Property may be sold at public auction if the quantity and types of Property on hand warrant such action.
    2. The department that is in possession of the Property shall coordinate auctions with the Finance Department
    3. It is the responsibility of the department with possession of the Property to provide administration and logistical support of the auction item/event. Any expense incurred in conducting the auction shall be deducted from the auction receipts.
  - iii. Surplus property may be sold using internet auction sites.

1. It is the responsibility of the department having possession of the Property to provide administration and logistical support of the auction item. Any expense incurred in conducting the auction shall be deducted from the auction receipts.
  2. The selling department shall provide photo, brief description, and estimated value of the Property. All Property not sold during the original auction, will be posted for auction at least two times with each auction lasting a minimum of 10 calendar days. If the Property does not sell after the second auction, the Department Director and the City Manager will then determine the best method of disposal, as provided by this Policy.
- iv. Surplus Property may be sold by soliciting written bids/quotations or other similar means, all as approved by the CFO/City Clerk
  - v. Scrap metal may be sold through a reputable metals recycling dealer without competitive bids if the value of the scrap metal is estimated at less than \$1,000.
- d. Cannibalizing: Property may be disassembled and used for parts when this is the most cost- effective method of disposal for the City.
- e. Transfer to Other Public Agency or Charity:
- i. No Property shall be transferred to another public agency or charity before it is first offered to City departments, as outlined in section “A”.
  - ii. When the value of the Property is estimated at \$5,000 or less, the City Manager or Designee, shall approve its sale or transfer to another Iowa public agency or charitable organization exempt under Section 501(c)(3) of the Internal Revenue Code, without competitive bid. Public agency means the State of Iowa or any agency or subdivision thereof, any city, county, special district, or school district.
  - iii. When the value of the Property is estimated to be more than \$5,000, the sale or transfer to another Iowa public agency without competitive bid shall be approved by the City Council.
  - iv. The transfer of Property, of any value, to a non-Iowa public agency shall be approved by the City Council.
  - v. Publication requirements do not apply when Property is transferred to another governmental agency.
- f. Property Having No Value:
- i. Property that has no practical salvage or scrap metal value may be disposed of in the proper manner for the item. If Property cannot be recycled or disposed of in the regular solid waste disposal process, departments shall take or make arrangements to take them to the appropriate disposal location.
  - ii. All authorized surplus property determined for disposal, shall be placed in dumpsters or other trash bins which are accessible to the general public.

#### **IV. City Officials and Employees:**

- a. Employees shall be defined as any full-time or part-time/seasonal employee of the



City of Indianola.

- b. City Officials shall be defined as elected officials, commission members, board members, and committee member (hereafter “City Officials”).
- c. City Officials and Employees are eligible to bid on Property listed for disposal in section III within this Policy.
- d. City Officials and Employees shall not bid on Property while on duty nor while acting in official capacity of the City.

**V. Unauthorized Personal Scrapping, Recycling or Disposal of Trash or Junk:**

- a. Transferring, selling, donating, scrapping, recycling or disposing of Property by City Officials or Employees for personal gain or to benefit the interest of any person or party other than the City of Indianola, including handling or disposal of trash or junk except as directed by authorized City management, is strictly forbidden.
- b. Disciplinary Action(s):
  - i. Appropriate disciplinary action, up to and including termination, will be taken should an employee be found, through proper investigation, to:
    - 1. have failed to promptly remit to persons officially designated to receive proceeds, including cash or other consideration, from the sale of City Property, as defined herein, including the proceeds from the sale, scrapping or recycling of any such property belonging to City tenants;
    - 2. have failed, in the performance of their duties, to promptly place in appropriate City containers, bins, dumpsters, or other collection facilities, equipment or containers, or have received, taken, given away, collected, stored or retained in other than appropriate City containers, bins, or collection facilities, or dump sites, City scrap, recyclables, trash or any such Surplus Property belonging to City tenants;
    - 3. have engaged in selling, scrapping, recycling or handling of City Property in violation of this Policy or the Procedures set forth herein, including having engaged in any such activity for their personal interest or gain, or in aid of others doing the same for their respective interest or gain;
    - 4. have used City vehicles, facilities or equipment to collect, store, or transport Surplus Property to sites, locations, or facilities, including the facilities of scrap vendors or recycling centers, except as specifically directed by authorized City management, in accordance with this Policy and the Procedures set forth herein.
    - 5. have failed to notify his/her Department Director in a prompt and timely manner after having observed any individual engaging in any of the above-described act(s) or having learned that such act(s) were being committed by other City employees.

Adopted by Council, 21 January 2020

## **General/Miscellaneous Policies**

### **City Policy on Lobbying**

The “official position” of every city official or employee as well as the “official position” of the City of Indianola, for purposes of encouraging the passage, defeat or modification of any state legislation or any state regulation or influencing the decision of any state officials, or for any other purposes, can only be established by a motion, resolution or ordinance duly adopted by the City Council of the City of Indianola, Iowa. No such “official position” exists in the absence of such motion, resolution, or ordinance establishing such “official position”, and no city official or employee is authorized or empowered to represent or express any such “official position” on behalf of the City of Indianola.

No city official or employee is paid compensation for the purpose of lobbying or is authorized to act as a lobbyist on behalf of the City of Indianola.

In the absence of a motion, resolution or ordinance specifically authorizing and empowering a city official or employee to the contrary, every city official and employee having any contact with any state representative, senator, executive branch employee or officer, or any state agency employee or officer (“state officials”), shall immediately state the disclaimer found below before making any other statement unless (a) the contact is initiated, conducted and concluded by the state official exclusively for the purpose of obtaining purely factual non-confidential objective information or data about the city, or (b) the contact is initiated, conducted and concluded by the city official or employee exclusively for the purpose of obtaining purely factual non-confidential objective information or data about the state, or (c) the contact is limited to the city official’s or employee’s formal appearance to give testimony, or (d) the contact involves a lawyer licensed to practice law in the State of Iowa representing the city before any agency or in a contested case.

The disclaimer mentioned above shall consist of the following statement: “The Indianola City Council has not established an ‘official position’ on this matter either for myself, my officer, or the City. I am not compensated or authorized to lobby on behalf of the City of Indianola on this matter. Accordingly, any views or opinions I may express are my own alone as a private citizen and are not intended to reflect the ‘official position’ of the City of Indianola or of my office or position with the City of Indianola.” Upon the stating of this disclaimer, it shall be conclusively presumed that the city official or employee is exercising his or her own right to free speech and the right to petition his or her government.

*Adopted by City Council on January 4, 1993.*

## City-Wide Clean Up

Policy for the annual City clean-up will be:

1. All large items, such as sofas, mattresses, etc. will be picked up on the residents recycling day. Appliances, such as stoves, refrigerators, furnaces, etc., shall be taken to the brush facility free of charge on designated days.
2. Items that are bulky, such as swing sets, should be cut up or dismantled into smaller pieces.
3. The spring leaf and organic yard waste disposal program will be available free of charge (on designated days of the week) at the Indianola Brush Facility only. Fees will still apply for brush which is anything that is ½ inch or more in diameter. Items may be loose or in paper bags only.
4. Also, there is a household hazardous waste and e-cycling collection at the Brush Facility – fees will apply to the e-cycling collection.
5. The City will not pick up trash or other items in trash containers, boxes or trash bags that the garbage haulers normally pick up.

*Amended by City Council on April 18, 1983; amended on March 17, 2003; amended August 4, 2008.*

## Use of North Council Chambers

1. The North Council Room shall be reserved for the following:

Council meetings – 1<sup>st</sup> and 3<sup>rd</sup> Monday evening of each month at 6:00 p.m. and 7:00 p.m. respectfully  
Any special called meetings of the Council.

Board of Trustee meetings on the 2nd and 4th Mondays at 5:30 P.M.

Planning and Zoning Commission meetings on the 2nd Tuesday of each month.

Board of Adjustment meetings when called.

2. Civic organizations may use the room; however, they cannot be secretive, discriminatory, religious, or political (informational meetings sponsored by incumbents are allowed).
3. The use of the north council room may be pre-empted by the City Council at any time.
4. The City Manager and City Clerk shall be responsible for scheduling the use of the rooms and shall maintain a reservation schedule.
5. Any group wishing to use the rooms shall present a written request for reservation at least one week in advance of the time of intended use. This request shall be presented to the City Clerk.
6. The City Council has the right to change, modify or eliminate any or all policy regulations at any time.

*Adopted by City Council on May 21, 1980.*

## Policy For Examination Or Copying Of Records

### GENERAL POLICY:

It is the policy of the City of Indianola to meet all reasonable requests for information and documents within the constraints of Iowa Code Chapter 22. This policy should be read in harmony with those provisions of Iowa Code Chapter 22 in effect at the time of the request.

The City of Indianola recognizes the right of the public to access public records maintained by the City in accordance with state law. When the City responds to requests to inspect or copy records, costs are incurred by the City. This policy is adopted to balance these competing interests, to establish an orderly and consistent procedure for responding to public records requests and to support the adoption of a fee schedule designed to reimburse the City for the actual costs incurred in responding to public records requests.

### CUSTODIAN OF RECORDS:

Requests for public records should be directed to the respective lawful custodian of such records. The Police Chief is the lawful custodian of police records, the Fire Chief is the lawful custodian of fire records, the Library Director is the lawful custodian of library records, the Parks and Recreation Director is the lawful custodian of Park and Recreation records, and the City Clerk is the lawful custodian of all other city records. The contact information for such custodians is as follows:

<u>Department</u>	<u>Custodian</u>	<u>Location</u>
Fire Department	Fire Chief	110 N. 1 <sup>st</sup> Street
Police Department	Police Chief	110 N. 1 <sup>st</sup> Street
Library	Library Director	207 N. "B"
Park and Recreation	Director of P&R	2204 W. 2 <sup>nd</sup>
All other City Departments	City Clerk	110 N. 1 <sup>st</sup> Street

### GENERAL PROCEDURE:

- This policy is not intended to preclude verbal responses to routine requests for information. In addition, under certain circumstances, documents may be provided without a written request. Those circumstances may include:
  - Documents made generally available to the public at public meetings;
  - Subject to approval by the City Manager, a specific Department may establish separate departmental policy to allow verbal requests for public records maintained by that department which are routinely requested by members of the public as part of the department's normal course of operations
- This policy does not apply to Indianola Municipal Utility records, police department accident reports, medical and fire reports, or fire investigation reports, which are subject to separate policies.
- **Written Request.** All parties requesting any City records are asked to complete and submit a written Request for Examination and Copying of Public Records form, attached hereto as Exhibit "A," to allow the City to promptly and accurately respond. Written requests are not limited to form Exhibit "A," but use of the form is highly encouraged to ensure sufficient clarity of public records requests. The City reserves the right to seek clarification of any public records request before responding to the request. The City reserves the right to deny any public records request if the request is sufficiently vague or unclear that the City cannot reasonably determine what records have been requested.

- **Inspection.** Parties requesting the inspection of public records may do so at a date and time during the regular business hours of the designated lawful custodian, or, if no such regular hours are established, from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. In-person inspection may be conducted in an on-premise room as arranged by the custodian. No original public records or documents can be removed from the premises at which they are stored.
- **Timing of Response.** The custodian of the requested records will attempt to fill record requests in a timely manner within fourteen (14) working days, unless the records are subject to consideration for exemption from disclosure as confidential under Chapter 22. Reasonable delay for the purpose of determining whether a confidential record should be available for inspection and copying to the person requesting the right to do so shall not exceed twenty (20) calendar days. Such records may include, but are not limited to: medical records, personnel or employee-related files, documents concerning litigation or claims, and/or names and addresses of complaints. Any request for public records which could be exempt from disclosure under the conditional exemptions in Iowa Code Section 22.7 shall be referred to the City Attorney for review and response.
- **Electronic Media Requests.** All open record requests that are responded to by electronic media shall be provided in a format that prevents the document from being altered.
- **Estimated Costs; Prepayment Required.** The person requesting the information shall be provided a bill, which shall be paid before the photocopies will be released. If the cost of responding to a request is estimated to exceed \$10.00, the person requesting the records will be provided with an estimated of costs, which the person will need to agree to pay prior to the copies being made. If the cost of responding to a request exceeds \$50, the person requesting the records will need to pay the estimated costs prior to the copies being made. If the actual costs incurred by the City to respond to a records request are less than the amount of any required prepayment, the overpayment will be refunded promptly to the person or entity making the prepayment. If the actual costs incurred by the City to respond to the request are more than the amount of prepayment, the City shall charge the requestor for all additional costs.

#### **FEE SCHEDULE:**

- If the number of photocopies does not exceed twenty-five (25) pages, or if staff time for responding to the request does not exceed thirty (30) minutes, the following fee schedule shall apply:
- Fees for photocopies: \$.25 per page for black and white copies and \$1.00 per page for color copies.
  - A fee for records provided on a CD is \$10.00.
- If the number of pages to be copied exceeds twenty-five (25) pages, or if the staff time involved in providing the records exceeds thirty (30) minutes, the following additional fee schedule shall apply:
    - Hourly rate for clerical time needed to make photocopies or copying to a CD - \$25.00 (prorated to the nearest fifteen (15) minutes)
    - Hourly rate for professional staff time – Effective hourly rate of staff member for time needed to produce or review the documents (prorated to the nearest fifteen (15) minutes)
    - Routinely prepared or bound reports – Actual cost to produce
    - Special requests for records mapping requests, and other non-traditional methods of providing information may incur additional costs.
  - The City reserves the right to adjust the above fee schedule in the event of unanticipated costs.

- Unless otherwise prohibited by law, the City may, at the City's discretion, furnish copies of requested records without charge or at a reduced fee if the City determines that the waiver or reduction of fees is in the public interest.

CITY OF INDIANOLA  
REQUEST FORM TO EXAMINE OR COPY RECORDS

Description of Record Requested:

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Requester and Record Identification\*

<hr/>	<hr/>	<hr/>
Name of Requester	Address	Telephone No.

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Signature of Requester\*

If the cost of responding to a request is estimated to exceed \$10.00, the person requesting the records will be provided with an estimate of costs, which the person will need to agree to pay prior to the copies being made. If the cost of responding to a request exceeds \$50, the person requesting the records will need to pay the estimated costs prior to the copies being made.

\*This information is not required but will be used to provide a response and/or in the event clarification is needed.

*Adopted September 15, 2014*

## Event Application Policy

The purpose of this policy is to maintain procedures for event organizers to hold a fun and successful event. The policy will allow others who are using the trails, parks and streets to remain safe while the event is being held. A well-planned event translates to a successful activity that benefits both public and private interests.

An official City of Indianola “Special Event Application Form” must be submitted for all events planning to use public property. The complete application will provide the following information for the proposed event:

- Event name
- Event type
- Date/time of event
- Location of event
- Event sponsor(s)
- Organization
- Contact name
- Address, telephone number, cell phone number, fax number, e-mail address and date the application is delivered to the City Clerk’s office
- Anticipated Attendance
- Event Information (date and time for setup, event start/end, dismantle)
- Description of the request and event
- Describe what streets you are planning to close
- Describe safety plan including crowd control. The Indianola Police and Fire Department will review your safety plans to determine if adequate for planned event. In reviewing the application, they will be looking at anticipated crowd size, demographics, entertainment, alcohol, prior history with this event or similar events and other relevant criteria.
- Describe emergency/medical plan, including your communication procedures
- Describe cleanup procedures and removal of recyclable goods and garbage during and after event.
- When the street is closed off for the event an access lane needs to be maintained at minimum of 20’ wide per IFC 503.1.1 for emergency vehicles. If the event has a moving route this requirement is not applicable.

Application review process:

- If an event is held on City Streets - applications will be reviewed by the City Manager, Street, Human Resources/Risk Manager, Fire and Police Departments.
- If event is held on combination of City Streets and City Trails – applications will be reviewed by the City Manager, Street Superintendent, Human Resources/Risk Manager, Fire Department, Police Department, Park and Recreation Department.
- If event is held exclusively within City Parks or Trails - the Park and Recreation Department will review the event applications to verify they are in accordance with city park policies, rules and regulations.
- Applications for events held on City Streets or a combination of City Streets and City Trails will be approved or denied by the Indianola City Council.
- Applications need to be received no later than **60 days prior to your event**. If received less than 60 days prior to the event, staff will deny the application. It may be appealed to the City Council with a \$50 late fee.
- All applications will need to complete a map showing street/lane closures, trails, parks you will be using, location of barriers/barricades, stages, platforms, parking, etc. If the event involves a moving route, indicate direction of travel
- The Sheriff’s Department shall have complete and unobstructed access to the west side of the Warren County Courthouse.



- If the Square is blocked-off, west bound traffic on Ashland should be able to turn north on Howard: south bound traffic on Buxton should be able to turn west on Ashland, east bound traffic on Salem should be able to turn south on Buxton and north bound traffic on Howard should be able to turn east on Salem.
- If the Square and one block in each direction are blocked-off, be sure plans include barricades one block west and east of the square on Ashland and Salem, one block north and south of the square on Howard and Buxton.
- Vendors are expected to park vehicles off of the Square once their booths/trailers have been set up – applicants will need to complete a map (B) showing parking of vehicles
- Always be sensitive to neighbors and area businesses when interrupting normal traffic flow and using amplified music.
- You will receive communication after the request has been to council unless there are questions regarding your application.
- When the street is closed off for the event an access lane needs to be maintained at minimum of 20' wide per IFC 503.1.1 for emergency vehicles. If the event has a moving route this requirement is not applicable.
- An insurance certificate showing the City as an additional insured in the amount of \$1,000,000 or more will be required.

#### Special Events Held On City Trails/Streets:

An official City of Indianola “Special Event Application Form” must be submitted for all events planning to use public property (City Streets, City Trails and/or a combination of City Streets and City Trails or Parks). The complete application will provide the following information for the proposed event:

- Event name
- Event type
- Date/time of event
- Location of event
- Event sponsor(s)
- Organization
- Contact name
- Address, telephone number, cell phone number, fax number, e-mail address and date the application is delivered to the City Clerk’s office
- Anticipated Attendance
- Event Information (date and time for setup, event start/end, dismantle)
- Describe what streets and/or trails, parks you will be closing or using (map required)
- Description of the request and event
- Describe safety plan including crowd control. The Indianola Police and Fire Department will review your safety plans to determine if adequate for planned event. In reviewing the application, they will be looking at anticipated crowd size, demographics, entertainment, alcohol, prior history with this event or similar events and other relevant criteria.
- Describe emergency/medical plan, including your communication procedures.
- Describe cleanup procedures and removal of recyclable goods and garbage during and after event.

#### Application review process:

- If event is held exclusively within City Parks or Trails, the Park and Recreation Department will review the event applications to verify they are in accordance with city park policies, rules and regulations.
- If an event is held on City Streets and/or a combination of City Streets and City Trails
  - Applications will be reviewed by the City Manager, Street, Human Resources/Risk Manager, Fire Department, Police Department and Park and Recreation Department.

- All applications will be approved or denied by the Indianola City Council.
- Applications need to be received no later than **60 days prior to your event**. If received less than 60 days prior to the event, staff will deny the application. It may be appealed to the City Council with a \$50 late fee.
- All applications will need to complete a map showing streets that will be used and indicate direction of travel
- An insurance certificate showing the City as an additional insured in the amount of \$1,000,000 or more will be required.

*Adopted August 1, 2016*

## **Community Development Policies**

### **Tax Increment Financing (TIF) Program Policy**

The purpose of this policy is to provide guidance regarding the use of Tax Increment Financing (TIF) to enhance economic development in the City of Indianola (the City). This policy does not replace project area objectives or types of renewal activities listed in any Urban Renewal Plan. Nothing within this policy requires the City of Indianola to provide funding for any project, regardless of that project's ability to meet eligibility guidelines. Any project making application for TIF funds must be located in a designated Urban Renewal Area and is subject to the particulars of the respective Urban Renewal Plan applicable for said Area.

#### **Goal**

The goal of Indianola's Tax Increment Finance (TIF) program is to effectively encourage economic development, enhance industrial and commercial property tax base, create employment opportunities, and attract businesses that contribute to the general well-being and quality of life of Indianola's residents.

#### **Uses of Funds**

- Construction and repair of public infrastructure that furthers the goals of this Policy.
- Direct assistance to pay assessments or connection fees for properties whose uses meet eligibility criteria. Properties that do not meet the criteria shall be required to pay assessments or connection fees, even if TIF is used to finance others within the same project.
- Direct assistance to businesses or property owners in the form of rebates, grants or loans for non-infrastructure uses. Loans may be interest bearing, zero-interest, or forgivable based on performance targets.
- To purchase or expand land ownership in partnership with any public/private partnership project that serves a public purpose compatible with the project objectives of a particular Urban Renewal Plan.
- Any other lawful use as listed in the Urban Renewal Plan on file in the City Clerk's Office for any particular Urban Renewal Area.

#### **Property Use Eligibility Criteria**

- Properties owned by public entities that enhance the quality of life in Indianola, serve a public purpose, and stimulate economic development.
- Properties owned by any public/private partnership that serves a public purpose compatible with the project objectives of a particular Urban Renewal Plan.
- Properties with any proposed industrial usage, including remodel and/or expansion of existing businesses.
- Properties with proposed commercial office or retail usage, including remodel and/or expansion of existing businesses.
- All residential properties are explicitly excluded from receiving TIF program funds, absent specific findings from the City Council that such development will further a public purpose of the City.

#### **Project Eligibility Criteria**

The following project characteristics shall be the primary factors in considering project eligibility:

1. Improves the development viability of an eligible property and will likely meet at least 3 other project criteria within 5 years of funding.
2. Increases the taxable value of an eligible property within 2 years of funding.
3. Creates or retains quality employment opportunities within Indianola.
4. Is compatible with the community and surrounding properties.
5. Does not cause undue stress on City services or public infrastructure.
6. Does not create an unfair advantage for the property owner over existing property owners in the community.

7. Property owners or developers waive other forms of property tax abatement, exemptions, or incentives allowed by law; however, nothing precludes the City from rebating property taxes paid.
8. Property owners or developers agree to minimum assessed values, construction timetables, and other criteria to be contained in a development agreement.
9. Property owners or developers shall construct public infrastructure necessary to serve the project in accordance with City specifications, and upon completion, dedicate such to the City.

Where applicable, assistance to private entities shall be based on criteria outlined in Iowa Code Chapter 15A, including, but not limited to the number and pay scale of projected new jobs and the amount of property tax base to be created. Pay scale shall be determined by the percentage of median income for Warren County. Other compensation criteria, such as benefits paid, may also be considered.

#### Project Priorities

1. Public infrastructure improvements adjacent to undeveloped property or proposed redevelopment.
2. Lending at low or zero-interest rates where local funds are used to match other public and private economic development incentives. Preference will be given to projects that expand existing businesses.
3. Direct assistance in the form of grants, rebates, or forgivable loans where local funds are used to match other public and private economic development incentives.
4. Lending or direct assistance without local funds matching other economic development incentives.

#### **Application Procedure**

- Application forms are available in the Community Development Office at City Hall, 110 N. First Street.
- Applications shall be submitted as soon as possible to the Community Development Office and, at a minimum, prior to the submittal of a site plan.
- The application shall be reviewed by the City Manager for completeness.
- The City Manager shall forward the application, with a recommendation for approval or denial, to the City Council for its consideration of the application.
- If the application is approved by the City Council, the City Manager shall prepare a Development Agreement, which shall contain the necessary financial and legal considerations. The cost to prepare the Developer Agreement shall be paid for by the applicant, including any outside counsel retained by the City for purposes of negotiating, drafting, approving or executing said Agreement.
- Once the Development Agreement is negotiated between the Applicant and the City Manager, the City Council will conduct a public hearing and take action on the Agreement. The City Council must find that a bona fide public purpose will reasonably be accomplished by the project.

**City of Indianola**  
**TIF Program Application**

This application must be completed for any project that requests financial assistance from the City of Indianola using the Tax Increment Financing Program. Please use additional or attached sheets to provide any information requested in this application.

Applicant Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone# \_\_\_\_\_  
FAX# \_\_\_\_\_  
E-mail address \_\_\_\_\_

**Property Use**

- |  |   |
|--|---|
| ( ) Public entity<br>( ) Indianola Development Corp.<br>( ) Other public/private partnership | ( ) Proposed industrial use<br>( ) Commercial office in excess of \$10M<br>( ) Other eligible use |
|--|---|

Zoning classification: \_\_\_\_\_

**Project Description**

Description of the project (Physical location, building square feet, unique architectural aspects, etc.):

\_\_\_\_\_

\_\_\_\_\_

Description of employment (use attached sheets if necessary):

( ) New jobs \_\_\_\_\_ Average wages \$ \_\_\_\_\_

( ) Existing jobs \_\_\_\_\_ Average wages \$ \_\_\_\_\_

Note: Projects that simply relocate jobs from another part of the city or state may not be eligible unless they significantly expand new jobs or retain current jobs from moving out of state.

Other information (types of employment, benefits, etc.):

\_\_\_\_\_

\_\_\_\_\_

Dollar value of property improvements to be constructed: \$ \_\_\_\_\_

Description of compatibility with the community and surrounding properties:

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Description of uses of public infrastructure or municipal services (utilities, special public safety considerations:

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FOR CITY USE ONLY:

Received by the City: \_\_\_\_\_

Reviewed by the City Manager: \_\_\_\_\_

Referred to City Council for Action: \_\_\_\_\_(YES) \_\_\_\_\_(NO)

Signed: \_\_\_\_\_  
(City Manager)

Date: \_\_\_\_\_

*Adopted by City Council on January 16, 2007; last amended 9 September 2020.*

## **Dangerous & Dilapidated Program**

The D&D Committee shall establish a priority list (using the criteria below) designating properties for potential acquisition. Highways shall be the first priority.

The Community Development Director with cooperation of the City Attorney shall be responsible for negotiating and purchasing said properties.

All purchase agreements shall be approved by City Council.

### **CRITERIA**

All properties purchased shall be vacant.

All purchases shall be voluntary and condemnation shall not be used.

Properties shall be purchased for a price at or below the Warren County Assessor's valuation. Special circumstances may be considered to allow a higher price.

Properties purchased should have a reasonable (ten years or less) net (purchase plus improvements minus re-sale) return on investment (increased value over existing) when considering city, county and school tax revenue. Exception: If the property is used for "affordable" housing, the reasonable return on investment may extend to 15 years or waived completely.

*Adopted by City Council on July 18, 2000; amended August 21, 2008.*

## **Permit Fees for Local Government Entities**

Effective October 15, 2018 the city shall not charge any related building permit fees to the Indianola Community Schools, Warren County or the Warren County Habitat for Humanity. Fees include building, plumbing, electric, water, sewer, driveway, sign, etc.

This policy shall be reviewed periodically to determine significant percentage changes and shall be adjusted accordingly and approved by council.

*Updated September 21, 1998, amended October 15, 2018*



## **Rezoning**

Notice of the Planning & Zoning Commission meeting shall be mailed by first class mail ten days prior to the meeting to all property owners within 200 feet of a proposed rezoning.

*Adopted by City Council on April 2, 1984.*

## **Revolving Loan Fund Program Policy**

The purpose of this policy is to provide broad direction for the implementation of a Revolving Loan Fund by the City of Indianola.

Geographic Area: Benefited entities shall be limited to an area described in the Urban Renewal Plan for the Original Downtown Urban Renewal Area on file in the City Clerk's office.

### **Purpose**

The program's purpose is to assist building/landowners in the retrofit, renovation, or new construction of properties or second story housing development, within the designated area to provide: new retail service, housing projects; to combat urban blight; and to provide employment opportunities in the City of Indianola.

### **Program Methods**

The assistance provided to the building/business owner will come in the form of direct, zero interest loans, of up to 25% of the project cost or \$10,000, whichever is less. The Council reserves the right to approve projects for more than \$10,000 if they provide broader economic benefits to the community and are recommended by the Director of Finance.

### **Eligibility Criteria**

The Director of Finance shall establish objective eligibility criteria, funding priorities, and program requirements that meet local, state, federal, and grant funding requirements as applicable. The Director of Finance shall maintain proper documentation of these procedures on file in the City Clerk's office. Exceptions to the eligibility criteria for projects approved by the Director of Finance using his/her own guidelines shall be disclosed to the City Council.

### **Implementation**

The Director of Finance shall provide recommendations to the City Council under this program on applications it approves for funding.

Disbursements under this program shall be submitted to the City Clerk's Office for council consideration using existing policies and procedures.

*Adopted by City Council on August 6, 2001; amended August 4, 2008.*

## **Small Wireless Facility Antenna/Tower Right-of-Way Siting**

### **PURPOSE:**

1. This policy has been established to define the general requirements for the installation of small wireless facilities within the rights-of-way in the City of Indianola. The policy creates requirements for the siting and design of wireless communication structures, facilities, and related utilities. As such the provisions of this policy are intended to regulate and guide the installation of small wireless facility antennas and related accessory structures on infrastructure and to regulate and guide the installation of new communication towers when needed. It is the desire of the City to encourage the development of an aesthetically pleasing local environment. It is also the intent of the City to encourage the expansion of wireless technology, as it provides a valuable service to City residents and businesses. It is not the City's goal to unreasonably discriminate among providers of functionally equivalent services nor to have the effect of prohibiting, either directly or indirectly, the provisions of small wireless services. It is the City's goal to encourage wireless providers to construct new facilities disguised through techniques of camouflage design, as defined in this Policy. It is the intent of this Policy to achieve the following objectives:
  - 1) To minimize the adverse visual effects of communication structures through careful design, siting, locating and screening.
  - 2) To locate and engineer communications support structures in a manner which minimizes potential damage to adjacent properties from structural failure.
  - 3) To allow for the reasonable location and efficient use of communication structures through the co-location of carriers.
2. The City currently regulates all wireless telecommunications facilities in the public rights-of-way through a permit process. The City's existing code is in the process of being updated to reflect current telecommunications trends or necessary legal requirements. Further, the existing code provisions were not specifically designed to address the unique legal and practical issues that arise in connection with multiple small wireless facility installations deployed in the public rights-of-way.
3. A recent FCC Order suggests that all local jurisdictions comply with various rules and recommendations on the exercise of local aesthetic, zoning, public works, and fee schedules when dealing with small cell (**Small Wireless Facility**) installations. The FCC Order also concludes that local governments function as regulators of their rights-of-way. The FCC's Declaratory Rule and Third Order Rights concluded that when local governments regulate, they do so as a regulatory function. This section is supporting The Declaratory Ruling and Third Order Rights view of local governments acting as regulators. Thus, Indianola, Iowa is in clear need of policies that support their role as a regulator of their rights-of-way.
4. The City recognizes its responsibilities under the federal Telecommunications Act of 1996 and Iowa law and believes that it is acting consistent with Iowa Law in ensuring that development activity does not endanger public health, safety, or welfare. The City intends this Policy to ensure that the installation, augmentation and relocation of **small wireless facility** installations in the public rights-of-way are conducted in such a manner as to lawfully balance the legal rights of applicants under the federal Telecommunications Act and Iowa Law with the rights, safety, privacy, property and security of residents of the City.
5. This policy is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any wireless telecommunications service provider's ability to provide wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify wireless telecommunications service facilities on the basis of environmental effects of radio frequency emissions so long as such wireless facilities comply with the FCC's regulations concerning such

emissions; (5) prohibit any collocation or modification that the City may not deny under federal or state law; or (6) otherwise authorize the City's to preempt any applicable federal or state law.

6. Based on the foregoing, the Indianola **City Council** finds and determines that the preservation of public health, safety and welfare requires that this Policy be enacted and be effective immediately upon adoption.

## **POLICY:**

### **A. Application for Small Wireless Facility Permit:**

An applicant must submit an application for a permit to install a **Small Wireless Facility**, in, over or under Indianola City rights-of-way. Upon issuance of a permit by the city, the applicant agrees to abide by the terms and conditions of a permit agreement to be approved by the Community Development Department. The application shall consist of the following:

- a) Application and Agreement for use of Street Right-of-Way for Utilities Accommodation
- b) Detailed drawing showing location(s) of proposed Small Wireless Facility
- c) Proposed location and routing of underground infrastructure (i.e. fiber, handholes/vaults). Fiber and handholes/vaults require separate license (permit) for installation and will be approved separately. Staff will review and provide comments to applicant at time of application for Small Wireless Facilities
- d) Signed copy of Special Terms and Conditions for any underground work that will be required for the Small Wireless Facility whether construction is included with installation of Small Wireless Facility or under separate project.
- e) Detail drawing of proposed and picture of Small Wireless Facility that will be installed. Detail and picture shall show everything that will be located on the pole/structure.
- f) Copy of agreement with pole/structure owner if not the City (proof of permission to locate on pole/structure).
- g) If installation is proposed on City owned pole/structure, applicant shall provide calculations as required in Section D Subsection H(1) of this Policy.
- h) If new pole is required, application shall include details on proposed pole installation.

### **B. Permit Fee:**

Before any **Small Wireless Facility** permit is issued, the applicant shall be required to pay a permit fee in accordance with a fee schedule established from time to time and approved by the City Council. The City reserves the right to do a rate study at a future date to establish the Permit fee for a Small Wireless Facility permit.

- (a) The fee permissible in the most current FCC regulations but not less than \$500 for non-recurring fees, including a single up-front application for collocation applications that includes up to five Small Wireless Facilities, with an additional \$100 or the fee permissible in the most current FCC regulations, for each Small Wireless Facility beyond five;
- (b) The fee permissible in the most current FCC regulations but not less than \$1,000 for non-recurring fees for a new pole (*i.e.*, not a collocation) intended to support one or more Small Wireless Facilities; and
- (c) The fee permissible in the most current FCC regulations but not less than \$270 per Small Wireless Facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally-owned structures in the ROW.

### **C. Definitions:**

**Authority** Used as a noun, means a state, county, or city governing body, board, agency, office or commission authorized by law to make legislative, quasi-judicial, or administrative decision relative to an application.

“Authority” does not include any of the following:

- a. State courts having jurisdiction over land use, planning, or zoning decisions made by an authority.
- b. The utilities division of the Public Works Department of commerce
- c. Any entities, including municipally owned utilities established under or governed by Title IX, subtitle 4 of the Code, that do not have zoning or permitting jurisdiction

**Alternative Antenna Structure** An existing pole or other structure within the public rights-of-way that can be used to support an antenna and is not a utility pole or a City-owned infrastructure.

**Antenna** means communications equipment that transmits and/or receives electromagnetic radio frequency signals used in the provision of Wireless Services. This definition does not apply to broadcast antennas, antennas designed for amateur radio use, or satellite dishes for residential or household purposes.

**Applicant** means the person submitting an application.

**Application** means the process by which a person submits a request to perform construction activity and/or indicates a desire to be granted permission in any way to utilize the rights-of-way of all, or a part, of the City. An application includes all written documentation, in whatever form or forum, made by a person to the City concerning: the installation of any type of public improvements, public utility facilities, the construction of a cable system or any type of information or telecommunications system over, under, on or through the rights-of-way.

**Attached wireless facilities** are those affixed to a structure except optical fiber, wires, coaxial cable and the mounting hardware used to attach optical fiber, wires, and coaxial cable. Examples of attached facilities include but are not limited to antennas, telephone boxes, power boxes, and other equipment boxes and cabinets on structures located on the ground.

**Base Station** a structure other than a tower that supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a “base station” at the time the relevant application is filed with the City, even if the structure was not built for the sole or primary purpose of providing such support, but does not include structures that do not at that time support or house base station components.

**Camouflage Design** Structures and associated equipment taking on the appearance of a piece of art, a natural feature, an architectural structural component or other similar element and which aesthetically blends with the surrounding building environment. Examples of camouflage design include, but are not limited to: architecturally screened roof-mounted antennas; antennas integrated into architectural elements; antennas designed to look other than an antenna; antennas integrated into existing buildings, sports field lights, highway signs, water towers, etc; and towers designed to blend into the surrounding environment or to look other than a tower, such as flag poles, trees, clock towers, monuments, and church steeples. All such designs are subject to the review and approval of the Community Development Department.

**City-Owned Infrastructure** Infrastructure in public right-of-way within the boundaries of the City, including, but not limited to, streetlights, traffic signals, towers, structures, or buildings owned, operated or maintained by the City.

**Collocate** means to install or mount a Small Wireless Facility in the Public ROW on an existing Support Structure, an existing Tower, or on an existing Pole to which a Small Wireless Facility is attached at the time of the Application. “Collocation” has a corresponding meaning.

**Collocated Small Wireless Facility Installation** means a single telecommunication tower, pole, mast, cable, wire or other structure supporting multiple antennas, dishes, transmitters, repeaters, or similar devices owned or used by more than one public or private entity.

- A. A single ground or building mounted receive-only radio or television antenna including any mast, for the sole use of the tenant occupying the residential parcel on which the radio or television antenna is

located; with an antenna height no higher than the height of the poles and antennas in the surrounding area;

- B. A ground or building mounted citizens band radio antenna, including any mast, if the height (post and antenna) does not exceed the height of the poles and antenna in the surrounding area;
- C. A ground or building mounted receive-only radio or television satellite dish antenna, which does not exceed thirty-six inches in diameter, for the sole use of the resident occupying a residential parcel on which the satellite dish is located; provided the height of said dish does not exceed the height of the ridgeline of the primary structure on said parcel.
- D. Mobile services providing public information coverage of news events of a temporary nature.
- E. Hand-held devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar personal-use devices.
- F. Government-owned and operated receive and/or transmit telemetry station antennas for supervisory control and data acquisition (SCADA) systems for water, flood alert, traffic control devices and signals, storm water, pump stations and/or irrigation systems, with heights no higher than the height of the poles and antennas in the surrounding area.
- G. Telecommunication facilities, including multiple antennas, in compliance with the applicable sections of this chapter, located on an industrial parcel and utilized for the sole use and purpose of a research and development tenant of said parcel, where it is found by the planning director to be aesthetically compatible with the existing and surrounding structures

**Communications Facility** means collectively, the equipment at a fixed location or locations within the Public ROW that enables Communications Services, including: (i) radio transceivers, Antennas, coaxial, fiber-optic or other cabling, power supply (including backup battery), and comparable equipment, regardless of technological configuration; and (ii) all other equipment associated with any of the foregoing. A Communications Facility does not include the Pole, Tower or Support Structure to which the equipment is attached.

**Communication Structure** any communications tower, antenna, and related accessory structure used in the transmission or reception of microwave energy, analog data transfer techniques, radio frequency energy, and other digital data transfer techniques.

**Communications Structure Site** a tract or parcel of land that contains the wireless communication structure, accessory building(s), on-site parking, and may include other uses associated with and necessary for wireless communication and transmission.

**Distribute Antenna System (DAS)** A type of **small wireless facility** consisting of a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area. Generally, serves multiple carriers.

**Effectively Screen** aesthetically pleasing construction meant to conceal small wireless facility equipment. Shall be required where needed to improve the aesthetics of the local environment.

**Eligible Facilities Request** any request for modification of any existing wireless tower or base station that involves (a) collocation of new transmission equipment; (b) removal of transmission equipment; or (c) replacement of transmission equipment.

**Eligible Support Structure** any tower or base station, as defined in this section, provided that it is existing at the time the relevant application is filed to the City.

**Equipment Concealed** Whenever technically feasible, antennas, cabling, and equipment shall be fully concealed within a Pole, or otherwise camouflaged to appear to be an integrated part of a Pole.

**Facilities** means any and all equipment, structures, materials or tangible components located in the rights-of-way and used to provide a service, including without limitation: all plants, whether inside or outside, fiber strands or optic lines, electronic equipment, amplification equipment, optic equipment, transmission and distribution structures, antennas of any type, lines, termination equipment, pipes, poles, ducts, mains, conduits,

inner ducts, regenerators, repeaters, underground lines, vaults, manholes, pull boxes, splice closures, wires and cables, and all other like equipment, fixtures and appurtenances used in connection with transmitting, receiving, distributing, offering, and/or providing such service. Facilities shall include, as the context dictates, wireless telecommunication facilities, as defined herein.

**Height** means maximum height of the small wireless facility, including antenna, above established grade measured at the base of the structure

**Landscape Screening** The installation at grade of plantings, shrubbery, bushes or other foliage intended to screen the base of a **small wireless facility** from public view.

**Lattice Tower** an antenna support tower that is self-supporting with multiple legs and cross-bracing of structural steel

**Permit Area** Locations in city zones where **small wireless facilities** are permitted to be installed and operated pursuant to the requirements of this policy.

**Major Wireless Telecommunications Facility** means telecommunication towers, poles or similar structures greater than 50 feet in height, including accessory equipment such as transmitters, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, as well as support structures, equipment buildings and parking areas.

**Micro Wireless Facility** means a **small wireless facility** with dimensions no larger than twenty-four inches in length, fifteen inches in width, and twelve inches in height and that has an exterior antenna, if any, that is no more than eleven inches in length.

**Minimum Height-** the lowest vertical distance at which the structure can still operate at an efficient level of service. An efficient level of service is deemed to be 95% or greater of possible service levels.

**Modification** Includes collocation, removal, or replacement of an antenna or any other transmission equipment associated with the supporting structure.

**Monopole** A structure composed of a single spire, pole or tower designed and used to support antennas or related equipment and that is not a utility pole, an alternative antenna structure, or a City-owned infrastructure.

**Provider** means any person including a franchisee who is providing or is in the process of seeking permission to provide a service to citizens of the City through the placement of facilities or structures either owned or leased in and thereby occupying the rights-of-way, as defined herein.

**Replacement** exchanging of transmission equipment; not to include the structure on which the equipment is located.

**Rights-of-way or ROW** means the surface and space above and below any real property in which the City has a real property interest and/or which have been dedicated to the public or is hereafter dedicated to the public and maintained under public City or by others at the direction of the public City and located within the City including, but not limited to, public: streets, roadways, highways, avenues, lanes, alleys, bridges, sidewalks, easements, public ways and similar public property and areas.

**Signage** Signage is prohibited on all small wireless facilities and wireless support structures, including stickers, logos, and other non-essential graphics and information unless required by the FCC, except for a small placard identifying the service provider and contact information, which shall be placed at 6-feet above grade, facing away from the public rights-of-way.

**Small Wireless Facility(ies)** are low powered antennas that provide cellular and data coverage to small geographic areas supplementing the larger cellular network. It includes all equipment required for the operation and maintenance of radio-frequency communications systems that transmit and/or receive signals but are not "major wireless telecommunications facilities," including antennas, electronics, and other types of equipment required for the transmission or receipt of such signals.

Alternatively, Small Wireless Facility means either of the following:

- (a) Micro wireless facilities that are no larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height and that have an exterior antenna, if any, of no more than eleven (11) inches in length; or
- (b) A wireless service facility where each antenna is located inside an enclosure of no more than 6 cubic feet in volume and where primary equipment enclosures associated with the small wireless facility is cumulatively no more than twenty-eight cubic feet in volume and shall be placed underground unless it is integrally incorporated inside the customary pole structure or base.

For purposes of this subparagraph volume shall be measured by the external displacement of the primary equipment enclosure, not the internal volume of each enclosure. An associated electric meter, concealment, telecommunications, demarcation box, ground-based enclosures, battery backup power systems, grounding equipment, power transfer switch, cutoff switch, cable, conduit and any equipment that is concealed from public view within or behind an existing structure or concealment may be located outside of the primary equipment enclosure and shall not be included in the calculation of the equipment volume.

For the purposes of this chapter, a **small wireless facility** does not include the following:

- A. Wireline backhaul facility, which shall mean a facility used for the transport of communications data by wire from wireless facilities to a network.
- B. Coaxial or fiber optic cables that are not immediately adjacent to or directly associated with a particular antenna or collocation.
- C. Underlying vertical infrastructure, which shall mean poles or similar facilities owned or controlled by the City that are in the public rights-of-way or public utility easements and meant for, or used in whole or in part for, communications service, electric service, lighting, traffic control, or similar functions

**Small Wireless Facility Installation** means all equipment required for the operation and maintenance of so-called "small cell" wireless communications systems that transmit and/or receive signals but are not "Major Telecommunications Facilities," including antennas, microwave dishes, power supplies, transformers, electronics, and other types of equipment required for the transmission or receipt of such signals.

**Stealth Facility** Any commercial wireless communications facility that is designed to blend into the surrounding environment by means of screening, concealment, or camouflage. The antenna and supporting antenna equipment are either not readily visible beyond the property on which they are located, or, if visible, appear to be part of the existing landscape or environment rather than identifiable as a wireless communications facility. Stealth facilities may be installed, but such installation methods are not limited to, undergrounding, partially undergrounding and landscaping.

**Structure** means anything constructed or erected with a fixed location below, on, or above grade, including, without limitation, service cabinets, junction boxes, foundations, fences, retaining walls, awnings, balconies, and canopies.

**Structure Height** the vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades of the cell site shall be used in calculating the height.

**Tower** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers, and that is not a utility pole, an alternative antenna structure, or a City-owned infrastructure. Except as otherwise provided for by this Policy, the requirements for a tower and associated antenna facilities shall be those required in this Policy.

**Utility Pole** An upright pole or similar structure owned and utilized in a whole or in part by a public utility, municipality. It is designed and used to support electric cables, telephone cables, telecommunication cables, cable service cables, which are used to provide lighting, traffic control, signage, or a similar function.

**Variance or Variation** A grant of relief by the **Community and Economic Development Director** or his/her designee.



**Wi-Fi Antenna** An antenna used to support Wi-Fi broadband Internet access service based on the IEEE 802.11 standard that typically uses unlicensed spectrum to enable communication between devices.

**D. Standards and Regulations:**

**Small Wireless Facilities** will be permitted to be placed in right-of-way within the jurisdiction of the City as attachments to existing utility poles, alternative antenna structures, or City-owned infrastructure subject to the following regulations.

- A. Aesthetics.** A small wireless facility shall reasonably match the aesthetics of an existing utility pole or wireless support structure in the area that incorporates decorative elements. Furthermore, a small wireless facility will allow retroactive aesthetic or placement requirements.
- B. Number Limitation and Co-Location.** The **Community and Economic Development Director** or his/her designee may regulate the number of **small wireless facilities** allowed on each utility pole or unit of City-owned infrastructure. Up to **two (2) small wireless facilities** will be permitted on utility poles or Alternative Antenna Structure. This Policy does not preclude or prohibit co-location of **small wireless facilities** on towers or monopoles that meet the requirements as set forth elsewhere in this section or as required by federal law.
- C. Separation and Clearance Requirements for Existing Decorative Poles.** **Small wireless facilities** may be attached to a utility pole, alternative antenna structure, monopole, or City-owned infrastructure including decorative only where such pole, structure or infrastructure is located evenly behind the curb. This supports The FCC Order that creates a One-Touch-Make-Ready (“OTMR”) regiment for pole attachments. The City of Indianola, Iowa currently maintains three Corridors with decorative lighting.
- D. Separation and Clearance Requirement New Small Wireless Facilities.** For new **small wireless facilities** between existing decorative street lights no closer than a distance equal to one hundred (100) per cent of the height of such facility to any residential building and no closer than **Three Hundred (300)** feet from any other **small wireless facility** for the same carrier. A new small wireless facility shall be installed on the nearest lot line and not in front of the building or structure on the lot. A separation or lesser clearance may be allowed by the **Community and Economic Development Director** or his/her designee as an administrative variance to this Policy when the Applicant establishes that the lesser separation or clearance is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed antenna or facility is the least intrusive means to do so within the right-of-way.
- E. City-Owned Infrastructure.** The City’s preference is that **Small Wireless Facilities** be installed on **non-City-owned infrastructure**. If the facility is attached to City-owned infrastructure then the **Small Wireless Facilities** can only be mounted to City-owned infrastructure including, but not limited to, streetlights, towers or buildings, if authorized by a license or other agreement between the owner and the City.
- F. Construction Requirements.** All **Small Wireless Facility** installations shall comply with the following:
  - 1. All needed traffic control shall comply with the most recent version of the Manual on Uniform Traffic Control Devices.
  - 2. Any needed lane closures on arterial roadways shall not start before 9:00 A.M. and end no later than 3:00 P.M.
  - 3. Small Wireless Facilities shall be installed on non-decorative facilities/poles wherever possible.
  - 4. Once new pole designs have been approved in an area, all providers shall use the same pole design.

5. Installations shall foster an aesthetically pleasing environment, prevent visual blight, protect and preserve public safety and general welfare, and maintain the character of residential and nonresidential areas consistent with the adopted plans and compliance of applicable State and Federal legislation.
6. All disturbed or damaged ROW shall be hydro-seeded, seeded with erosion mat or replaced with sod as soon as completed.
  - a) If seeding or hydro-seeding, prepare the area by hand raking to a depth of 3-4 inches and proper grade. When hydro-seeding, scarify the seedbed to facilitate lodging and germination of the seed.
  - b) If sodding, sod shall be rolled immediately after laying to create firm contact with the ground.

Areas shall be maintained by the permittee until satisfactory growth is established. Permittee shall water all seeded or sodded areas once per day for the first 15 days and as needed until established growth and signed off by the city. Any day that there is ¼" or more rainfall in that 24-hr. period, watering does not need to take place.

7. It will be the responsibility of the Permittee to work with property owners to identify location of any existing lawn irrigation system within the public right of way. Any damage to these systems is the responsibility of the Permittee to repair.
8. Installations shall maintain a minimum distance of 15 feet from existing trees in the ROW.
9. Only equipment necessary for the installation of Small Wireless Facilities can sit on the right of way. Large trucks must stay on a hard surface at all times. No equipment can be left on the right of way overnight.
10. Work **cannot** take place during City snow/ice operations.
11. The City reserves the right to deny any future projects with the Permittee if the Permittee has failed to follow the aforementioned Construction Requirements on a previous permit.

**G. New Towers.** When approved by the City, a new monopole shall be installed on the nearest lot line and not in front of the building or structure on the lot. No new monopole or other tower to support **small wireless facilities** shall be installed in rights-of-way, that exceeds the height of surrounding existing poles, within the jurisdiction of the **Indianola, Iowa** unless the **Community and Economic Development Department** finds, based on clear and convincing evidence provided by the applicant, that locating the **small wireless facilities** on the rights-of-way is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed new monopole or other tower within the rights-of-way is the least intrusive means to do so.

- a. New monopole or tower installations, where approved by the City, shall maintain a minimum horizontal clearance of four (4) feet from all City utilities.
- b. New monopole or tower installations, where approved by the City, shall maintain a minimum horizontal distance of 15 feet from existing trees in the ROW.

**H. Attachment Limitations.** No small wireless telecommunication antenna or facility within the rights-of-way will be attached to a utility pole, alternative antenna structure, tower, or City-owned infrastructure unless all of the following conditions are satisfied:

- a. **Surface Area of Antenna:** The small wireless telecommunication antenna, including antenna panels, whip antennas or dish-shaped antennas, cannot have a surface area of more than **six (6)** cubic feet in volume.
- b. **Size of Above-Ground Small Wireless Facility:** The total combined volume of all above-ground equipment and appurtenances comprising a **small wireless facility**, exclusive of the antenna itself, cannot exceed **twenty-eight (28)** cubic feet.

- c. **Small Wireless Facility Equipment:** The operator of a **Small wireless facility** must, whenever possible, locate the base of the equipment or appurtenances at a height of no lower than **twelve (12)** feet above grade.
- d. **Small Wireless Facility Services Equipment Mounted at Grade:** Any equipment or appurtenances that are to be installed outside the exterior of the pole, monopole or structure, must be installed below grade. Pedestals at grade are allowed. In the event that the operator of a **small wireless facility** proposes to install a facility where equipment or appurtenances are to be installed at grade outside of the right-of-way. Where required screening must be installed to minimize the visibility of the facility. Screening must be installed outside the right-of-way, at least **three (3)** feet from the equipment installed at-grade and **eight (8)** feet from a roadway.
- e. **Height:** The top of the highest point of the antenna cannot extend more than **three (3)** feet above the highest point of the utility pole, alternative antenna support structure, tower or City-owned infrastructure. If necessary, the replacement or new utility pole, alternative support structure or City-owned infrastructure located within the public rights-of-way may not be higher than existing poles adjacent to the replacement or new pole or structure.
- f. **Color:** A **small wireless facility**, including all related equipment and appurtenances, must be a color that blends with the surroundings of the nearest pole, structure tower or infrastructure on which it is mounted and use non-reflective materials which blend with the materials and colors of the surrounding area and structures. Any wiring must be covered with an appropriate cover.
- g. **Antenna Panel Covering:** A **small wireless facility** antenna may include a radome, cap or other antenna panel covering or shield, to the extent such covering would not result in a larger or more noticeable facility and, if proposed, such covering must be of a color that blends with the color of the pole, structure, tower or infrastructure on which it is mounted.
- h. **Wiring and Cabling:** Wires and cables connecting the antenna to the remainder of the facility must be installed in accordance with the electrical code currently in effect. No wiring and cabling serving the facility will be allowed to interfere with any wiring or cabling installed by a cable television or video service operator, electric utility or telephone utility.
- i. **Grounding:** The **small wireless facility** must be grounded in accordance with the requirements of the electrical code currently in effect in the City.
- j. **Guy Wires:** No guy or other support wires will be used in connection with a **small wireless facility** unless the facility is to be attached to an existing utility pole, alternative antenna support structure, tower or City-owned infrastructure that incorporated guy wires prior to the date that an applicant has applied for a permit.
- k. **Pole Extensions:** No pole extensions to utility poles, alternative support structures, towers and City-owned infrastructure are allowed.
- l. **Structural Integrity:** The **small wireless facility**, including the antenna, and all related equipment must be designed to withstand a wind force and ice loads in accordance with applicable standards established in Chapter 25 of the National Electric Safety Code for utility poles, Rule 250-B and 250-C standards governing wind, ice, and loading forces on utility poles, in the American National Standards Institute (ANSI) in TIA/EIA Section 222-G established by the Telecommunications Industry Association (TIA) and the Electronics Industry Association (EIA) for steel wireless support structures and the applicable industry standard for other existing structures. For any facility attached to City-owned infrastructure or, in the discretion of the City, for a utility pole, tower, or alternative antenna structure, the operator of the facility must provide the City with a structural evaluation of each specific location containing a recommendation that the proposed installation passes the standards described above. The evaluation must be prepared by a professional structural engineer licensed in the State of Iowa.

- m. Signage.** Other than signs required by federal law or regulations or identification and location markings, installation of signs on a **small wireless facility** is prohibited.
- n. Screening.** Where screening is required, it must be natural landscaping material or a fence subject to the approval of the City and must comply with all regulations of the City. Appropriate landscaping must be located and maintained and must provide the maximum achievable screening, as determined by the City, from view of adjoining properties and public or private streets. Notwithstanding the foregoing, no such screening is required to extend more than **six (6)** feet in height. Landscape screening when permitted in the rights-of-way must be provided with a clearance of three (3) feet in all directions from the facility. The color of housing for ground-mounted equipment must blend with the surroundings. For a covered structure, the maximum reasonably achievable screening must be provided between such facility and the view from adjoining properties and public or private streets.
- I. Permission to Use Utility Pole or Alternative Antenna Structure.** The operator of a **small wireless facility** must submit to the City written copies of the approval from the owner of a utility pole, monopole, or an alternative antenna structure, to mount the **small wireless facility** on that specific pole, tower, or structure, prior to issuance of the City permit.
- J. Licenses and Permits.** The operator of a **small wireless facility** must verify to the City that it has received all concurrent licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility have been obtained and will be maintained within the corporate limits of the City.

  - a. The City currently maintains 3 corridors with decorative street lighting on them. The City maintains that it reserves to determine accessibility to the street lighting.
  - b. The City reserves the right to deny any future projects with the Permittee if the General Terms and Conditions or Special Provisions of this Permit have not been stratified.
- K. Abandonment and Removal.** Any **small wireless facility** located within the corporate limits of the City that is not operated for a continuous period of twelve (12) months, shall be considered abandoned and the owner of the facility must remove same within ninety (90) days of receipt of written notice from the City notifying the owner of such abandonment. Such notice shall be sent by certified or registered mail, return-receipt-requested, by the City to such owner at the last known address of such owner. In the case of **small wireless facilities** attached to City owned infrastructure, if such facility is not removed within ninety (90) days of such notice, the City may remove or cause the removal of such facility through the terms of the applicable permit agreement or through whatever actions are provided by law for removal and cost recovery.
- L. NOISE AND EMISSION STANDARDS.**

  - a. Noise.** The incorporation of ambient noise suppression measures is required, and/or it is required to place the equipment in locations less likely to impact adjacent residences or businesses to ensure compliance with all applicable noise regulations. The maximum allowable noise emitted by the Small Wireless Facility shall not exceed 30 dB measured at a distance of 3 feet from any portion of the facility.

The only exception is during emergencies or periodic routine maintenance which requires the use of a back-up generator, where the noise standards may be exceeded temporarily.
  - b. Emissions.** The Federal Telecommunications Act of 1996 gives the FCC sole jurisdiction to regulate radio frequency emissions. Facilities that meet the FCC standards shall not be conditioned or denied on the basis of emissions impacts. Applicants for tower sites shall be required to provide information on the projected power density of the facility and how this meets the FCC standards.
- M. New Technologies** Should, within the term of any lease, developments within the field for which the grant was made to the holder of the lease, present the opportunity to the holder of the lease to be more

effective, efficient and economical through the use of a substance or material other than those for which the lease was originally made, the holder of the lease may petition the Community Development Department which, with such requirements or limitations as it deems necessary to protect public health, safety and welfare, may allow the use of such substances under the terms and conditions of the lease.

#### **N. Safety Requirements**

- a. Prevention of failures and accidents.** Any Person who owns a Small Wireless Facility and/or Wireless Support Structure sited in the ROW shall at all times employ ordinary and reasonable care and install and maintain in use industry standard technology for preventing failures and accidents which are likely to cause damage, injury, or nuisance to the public.
  - b. Compliance with fire safety and FCC regulations.** Small Wireless Facilities, wires, cables, fixtures, and other equipment shall be installed and maintained in substantial compliance with the requirements of the National Electric Code, all FCC, state, and local regulations, and in such manner that will not interfere with the use of other property.
  - c. Changes in state or federal standards and regulations.** If state or federal standards and regulations are amended, the owners of the Small Wireless Facilities and/or Wireless Support Structures governed by this chapter shall bring any facilities and/or structures into compliance with the revised standards and regulations within six months of the effective date of the standards and regulations, unless a different compliance schedule is mandated by the regulating agency. Failure to bring Small Wireless Facilities and/or Wireless Support Structures into compliance with any revised standards and regulations shall constitute grounds for removal at the owner's expense.
  - d. Indemnification** Any Person who owns or operates Small Wireless Facilities or Wireless Support Structures in the ROW shall indemnify, protect, defend, and hold the City and its elected officials, officers, employees, agents, and volunteers harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees to include reasonable attorney fees and costs of defense, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including personal or bodily injury or death, property damage or other harm for which recovery of damages is sought, to the extent that it is caused by the negligence of the Operator who owns or operates Small Wireless Facilities and wireless service in the ROW, any agent, officer, director, representative, employee, affiliate, or subcontractor of the Operator, or their respective officers, agents, employees, directors, or representatives while installing, repairing, or maintaining facilities in the Rights-of-Way.
  - e. Surety bond or equivalent financial tool for cost of removal.** All owners must procure and provide to the City a bond, or must provide proof of an equivalent financial mechanism, to ensure compliance with all provisions of this chapter. The bond must be maintained for as long as the owner has Small Wireless Facilities and/ or Wireless Support Structures located in the ROW. The bond or equivalent financial method must specifically cover the cost of removal of unused or Abandoned Small Wireless Facilities and/ or Wireless Support Structures or damage to City property caused by an Operator or its agent of each Small Wireless Facility and/ or Wireless Support Structure in case the City has to remove or pay for its removal. Two acceptable alternatives to a bond include a funds set-aside and a letter of credit.
- O. Severability** The various parts, sentences, paragraphs, Sections and clauses of this Chapter are hereby declared to be severable. If any part, sentence, paragraph, Section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

#### **Conflict of Laws**

Where the conditions imposed by any provisions of this Chapter regarding the siting and installation of **small wireless facilities** are more restrictive than comparable conditions imposed elsewhere in any other local law, policy, resolution, rule or regulation, the regulations of this Policy will govern.

*Adopted by Council April 15, 2019*

## **Voluntary Annexations**

All requests for voluntary annexation shall be referred to the Planning and Zoning Commission and Board of Trustees for their recommendation and report to the City Council.

*Adopted by City Council on January 16, 1974; amended August 4, 2008.*

## **Information Technology and Public Relations Policies**

### **Government Access Channel Policy**

#### **Policy**

The government access channel shall be used by the city to promote the availability of government information to the citizens of Indianola. Government information shall include city, county and school and shall be only administrative in nature such as agendas, schedules, public safety and promotional information for government sponsored programs. Non-administrative information such as social and sporting events may not be placed on the government access channel. However, dates, times and locations of such events may be broadcast.

In addition, information relating to political, commercial, religious or any other non-government nature shall not be permitted. However, information such as election dates, times and locations may be broadcast.

#### **Equipment Location**

The equipment will be housed in the old data processing room located in the south council chambers which provides space as well as convenience to the council chambers.

#### **Administrator**

The Information Technician Manager is recommended as the person responsible for overseeing the day-to-day operations of the channel. Duties include scheduling, data entry, and working with personnel, either existing or new part-time, to enter information into the system. The City Manager will be ultimately responsible for the overall operation of the system.

#### **Schedule**

The channel will be live/tape broadcast.

#### **Board/Commission Use**

Should a board/commission wish to live broadcast their meetings, it will have to be done in the council chambers.

*Adopted by City Council on January 16, 1995*



## Web Site Privacy Statement & Disclaimer

The City of Indianola (City) and Indianola Municipal Utilities (IMU) provide web sites, including indianolaiowa.gov and i-m-u.com, as a public service. Please note that visitors to these sites are responsible for checking the accuracy, completeness, currency and/or suitability of all information. The following information outlines the collection and protection standards used by the City and IMU on these sites. This information is provided for informative purposes only and is not meant to be a contract of any type, either express or implied, and should not be treated as such by site visitors. The information provided in this statement and disclaimer may change at any time, without prior notice to any visitor.

### Access to Information:

- Access to personally identifiable information in public records for municipalities is determined primarily by Chapter 22 *Examination of Public Records (Open Records)* of the Code of Iowa. Records generally available under Chapter 22, and not otherwise designated as confidential elsewhere in the Iowa Code or under federal statutes, are considered public information and can be made available upon request. Information that visitors to this web site provide has no greater, or less, privacy protection than similar information provided to this municipality by other means.
- Any public information furnished by a visitor to this site, for any reason, may be filed and maintained by the municipality for its own use in performing statistical analysis, improving its service delivery system, or responding to a request for service or information. Information deemed as confidential may be retained for the city's or IMU's own use. The City and IMU do not sell visitor's information to any outside company or organization. Visitors should be aware that the collection of personal information requested from or volunteered by children will be treated in the same manner as information given by an adult and may be subject to access by the public under Iowa law.

### Collection of Information:

- The City and IMU may automatically collect specific and non-personal information about each visitor to its web sites. This information may include Internet Protocol (IP) addresses, type of browser used, the date and time of the visit, the services accessed, and the IP addresses of the locations to which the visitor linked during their visit to these web sites. This information is strictly used for site maintenance purposes, but may be considered public information. The portion of a record request that contains an internet protocol number which identifies the computer from which a person requests an official record is considered confidential under Chapter 22 of the Code of Iowa.
- The City and IMU contracts with third parties to provide certain services. Data collected on these sites is owned by the City and IMU and is subject to the same privacy protections and constraints under applicable Iowa law and federal statutes as if it were collected on City and IMU sites.

### Security of Information:

- City, IMU, and sites providing services to the City and IMU by third parties meet accepted standards of security for transactions that may involve payment of funds, including the use of encryption and SSL services.
- Credit card numbers are not electronically stored on-line by the City or IMU longer than is required for verification and completion of the subject transaction. However, neither the City nor IMU are responsible for credit card numbers or information retained by third parties and do not warrant the security of such data retained by any third party.

**Information Content:**

- The City and IMU specifically disclaim any and all liability for any claims or damages that may result from providing information or transactional capabilities on its web sites, including sites maintained by third parties. The inclusion of links to or from any site does not imply endorsement by the City or IMU. The City and IMU makes no effort to independently verify, and does not exert editorial control over, information on pages outside of its own sites. The responsibility for content rests with the organizations providing the information.
- The City and IMU do not endorse any products, services, vendors, consultants, or documentation referenced in the content on its web sites. Any mention of products, services, vendors, and consultants is for informational purposes only.
- The City and IMU makes no representations, guarantees, or warranties as to the accuracy, completeness, currency, or suitability of the information provided via these web sites. Any person or entity that relies on any information obtained from these sites does so at his or her own risk.

*Adopted by City Council on October 7, 2002.*

## Sanitary Sewer Policies

### **Infiltration and Inflow Policy**

Pursuant to Chapter 97.01, no person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof run-off, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. Inflow and Infiltration (I&I) is the invasion of storm water into the sanitary sewer system from broken, cracked or misaligned mains, leaking manholes or manholes that have water flowing over their covers. Other sources of I&I include private (resident and business) services that are cracked or broken and storm water connections from sump pits, roof drains or surface drains into sanitary sewers. The storm water connections from sump pits, roof drains or surface drains are illegal based on Chapter 97.01 (was amended as such by Ordinance 612 in 1979.)

I&I not only causes sewage backups in basements, but also results in a substantial increase in energy needs and rapidly advances the need for repair and maintenance due to increased burden on the system. In addition, there is a reduction in sewer capacity, which shortens the life of the current treatment facility. All of which result in increased cost and financial burden on citizens and businesses of Indianola.

In addition to Chapter 97 of the City of Indianola Code of Ordinances, the City adopted Chapter 94 of the City of Indianola Code of Ordinances authorizing Time of Sales Inspections within the City sanitary sewer system.

The mayor and council therefore adopt the following policy to abate problems associated with I&I:

1. The city shall perform a study to locate I&I using sewer department staff and an engineering firm. It shall be conducted on an area-by-area basis concentrating on the city's sewer mains by televising, cleaning, smoke testing, and installing flow meters.
2. The city staff will prioritize their findings to repair the most severe first with the funds budgeted for that budget year. Public sewers and manholes with I&I shall be repaired using sewer revenue including fees and grants etc. designated by the city council.
3. Private sources of I&I will be inspected pursuant to the Time of Sales ordinance, or as part of a Capital Project or resident request. Inspection Fees will be assessed pursuant to the city's annual fee schedule. Illegal connections shall be repaired as noted below.
  - Information obtained that identifies leaky lateral or other non-illegal contributors of I&I will be shared with the homeowner. The City will not mandate repairs.
4. Beginning May 1, 2017, the city will allow the residents that are on the I&I Penalty list the opportunity to be removed from the list if they have their residence inspected in accordance with the Time of Sale Ordinance and the penalty fees paid in full. Successful inspections will result in the issuance of a Certificate of Compliance and you will be removed from the I&I Penalty list starting with the next month's billing. The certificate will be good for two years.

Upon written notification from the City (regular first-class mail) I&I flowing into the sanitary sewer from an illegal connection, the property owner shall have a period of **90 days to abate the problem.** Those owners that perform the proper repairs or retain a contractor to make the repairs within 90 days of notification or less shall be eligible for one of the following finance options:

- a) 25% reimbursement (not to exceed \$1000) for the disconnection costs. Repair amounts in excess of \$7500 and up to \$15,000 will be eligible for an additional rebate amount equal to 10% per \$1000. A repair in excess of \$15,000 will receive an additional 25% per \$1000.

OR:

- b) Loan Amounts may range from \$3,000 to \$7,500 with a three (3%) interest rate. Loan term may vary not to exceed ten (10) years. Loan requests will be approved by the City Manager.

Inspection by city staff both prior to and after repairs shall be necessary for a reimbursement or loan. In addition, a billing statement for services performed shall accompany the request for reimbursement. For those owners opting to do the work without the assistance of a commercial contractor, the city shall reimburse 50% of the material costs only. The reimbursement shall not exceed \$500.

Example:

- 1) \$3,000, 3%, 5 years
- 2) \$4,000, 3%, 7 years
- 3) \$5,000, 3%, 8 years
- 4) \$5,500, 3%, 9 years
- 5) \$7,000, 3%, 10 years

For those property owners who opt not to repair the illegal connection from the sanitary sewer after the 90-day period, a \$50.00 per month fee shall be applied to the utility bill until the disconnection has been performed, but not to exceed 1 year. By the end of the 1-year period, the owner shall have completed the disconnection.

If the owner has failed to repair the illegal connection the monthly fee will increase to \$70.00 until repairs have been made. By the end of the second 1-year period, the owner shall have completed the disconnection. If the owner has failed to repair the illegal connection the City will seek to enforce this policy using all lawful means, including but not limited to the prosecution of a municipal infraction which could result in a civil penalty, court cost, and / or a court order requiring that repairs be made within a certain time period.

Provisions of this policy may be waived by the City Council.

Reference of City Ordinances:

94.00 Time of Sales Inspections  
95.07 Right of Entry  
97.01 Storm Water  
97.05 Restricted Discharge Powers  
99.05 User Charges

*Adopted by City Council on November 17, 1986; amended September 5, 1995; amended June 15, 1998; amended September 5, 2006; amended July 16, 2007; amended June 2, 2008, amended 2010, amended 2013, amended May 1, 2017*

## **Excessive Sewer Policy**

The purpose of this policy is to provide the City Manager, or his designee, with the authority to issue credits to utility accounts with bona-fide excessive sewer usage in amounts up to \$1,000 based on the following criteria:

Water was metered

Municipal employees verify evidence that water did not directly enter into the sewer system

The metered water that did not enter into the sewer system was due to extraordinary circumstances beyond the utility account holder's control

For any refund issued under this policy, the City staff has the authority to approve a refund of an amount less than \$1,000. A refund exceeding this amount must be approved by the City Council. In all events, a refund shall be a credit on the customer's invoice and shall not be paid in cash.

Any and all credits will be issued to the customer's utility account and not as a cash credit unless approved by the City Council.

*Amended by City Council on December 19, 2016, August 7, 2017*

## **Sewer Policy Statement**

### **Purpose**

The purpose of this policy is to provide for the implementation of Chapter 99.04 of the Code Of Ordinances pertaining to the basis for establishing user charges for sewer services. Nothing in this policy shall be construed to apply to or interfere with other chapters of the Code of Ordinances for sewer services.

### **Policy Statement**

In the event that it is discovered that a meter multiplier has been incorrectly applied to a customer's consumption, a meter has been read incorrectly, the appropriate rate schedule has not been applied, a meter was not connected correctly, or in other similar circumstances, a refund or back bill shall be issued.

Whenever an incorrect reading of a meter, incorrect application of a rate schedule, incorrect meter connection or other similar reason occurs, the City shall make a refund for any overcharge or shall back bill for any undercharge. A refund or back billing shall be calculated using the actual consumption for (1) the preceding 60 months from the time the error was identified, or (2) for the period from the establishment of the current account holder to the time the error was identified, whichever is less. The maximum refund or back bill shall not exceed the amount of the actual consumption multiplied by the rate for like charges in the twelve (12) months preceding the discovery of the error, unless otherwise ordered by the governing body.

For any back bill issued under this policy, the customer shall be offered a payment plan agreement with repayment terms up to 12 months without interest or penalty. Any requested payment plan exceeding 12 months shall require Council approval. Failure to complete repayment will not lead to disconnection of services, but will lead to appropriate legal action being initiated by the city. The payment plan agreement shall also provide for complete repayment upon the closing of that customer's account. Any agreement with terms exceeding these must be approved by the City Council.

*Adopted by City Council on August 6, 2007. Amended by City Council on August 7, 2017.*

## Shared Sewer Service Policy

The Water Pollution Control Department has discovered that there are several shared sewer services that have two or more buildings located on separately owned lots connected to a single sewer service typically 6" VCP (Clay Tile) material. Shared sewer service collects from multiple residences and conveys it to the public sewer system.

### 2003 International Plumbing Code

**Section 701.3 Separate sewer service connection.** Every building having plumbing fixtures installed and intended for human habitation, occupancy or use on premises abutting on a street, alley or easement in which there is a public sewer shall have a separate connection with the sewer. Where located on the same lot, multiple buildings shall not be prohibited from connecting to a common building sewer that connects to the public sewer.

### Purpose

This policy establishes standards for City staff when shared sewer service connections are discovered. The policy will provide information such as types of shared sewer services, notifications, and define steps for public sewer construction. The intent of this policy is to protect the health and welfare of the public by separating shared services that are the responsibility of multiple lot owners. It is inclusive of, but not limited to, single family dwellings, single family dwellings converted to apartments, and businesses.

### Definitions

**"Collection Sewer Service"** - The portion of the shared sewer service system that collects and conveys sewage from multiple buildings that are located on separately owned lots to the public sewer system. It is owned by, and the responsibility of, the property owners.

**"Physical Repair"** - Any portion of the sewer service to be removed, replaced, or altered.

**"Private Sewer Service"** - A portion of the shared sewer service that collects and conveys sewage from the property to the collection sewer service. It is owned by, and the responsibility of, the property owner.

**"Public Sewer"** - Sewer in which all owners of abutting properties have equal rights, and is controlled by public authority

**"Sewer Service"** - The pipe that conveys sewage from a property to the public sewer system.

**"Sewer System"** - All facilities for collecting, pumping, and disposing of sewage.

**"Shared Sewer Service"** - The entire system of pipes from multiple buildings that are located on separately owned lots that convey sewage to the public sewer. This includes private sewers and collection sewer services.

### Notification

- When shared sewer services are identified by the City of Indianola, property owners will be notified within 30 days.
- The notification will include a map that identifies the known properties that share the sewer service, an estimated location of the shared sewer service, the private sewer services, the collection sewer service, and the connection to the public sewer system.
- Property owners will be notified if there are maintenance issues with the sewer service such as sewer backups, inflow and infiltration, or if physical repairs are required. If repairs are required, the property

owner will be given 6 months from the date of notification to comply, unless otherwise approved by city council.

### **Reasons to abate Shared Sewer Services**

When property owners are required to disconnect from the shared sewer service they must reconnect to the public sewer in accordance with City code. Separation of the shared sewer service will be required if/when:

- A physical repair is required on one of the private sewer services.
- A physical repair is required on the collection sewer service.
- A public health issue arises.

\*Temporary repairs to a shared sewer service will be allowed by the City. However permanent repairs are required and must be completed within 6 months of notification, as outlined in this policy.

### **Request for Public Sewers**

Property owners may request a public sewer extension to separate shared sewer services. The City will provide the following:

- Cost analysis for public sewer installation and sewer service connection.
- Replacement cost estimate per property owner.
- Engineering, bidding, and construction contracts.
- Tentative schedule for replacement of the shared sewer service.
- 10-year loan agreement based on actual cost, subject to council approval.
- Payment schedules for property owners.

### **Prohibited Acts**

Property owners that are connected to a shared sewer service will not disrupt, disconnect, or prevent the use of the service to other properties that are connected.

## **EXAMPLES**

If a property owner's **private sewer** portion of the shared sewer service is in need of repair, then they would be responsible for disconnecting from the shared sewer service and reconnecting to the public sewer.

If multiple property owners have sewer service above a portion of the **collection sewer service**, then they would be responsible for disconnection from the shared sewer service and reconnection to the public sewer.

See (Fig 1) for the Shared Sewer Service Diagram – back of council policy book

See (Fig 2) Shared Sewer Service Examples Diagram for a visual reference to the written examples of responsibility if the sewer is in need of a physical repair – back of council policy book

- A) Property Owner #1 would be solely responsible for disconnecting from the collection sewer service and reconnecting to a public sewer.
- B) Property Owners #1 & #2 would be responsible for disconnecting from the collection sewer service and reconnecting to a public sewer.
- C) Property Owner #2 would be responsible for disconnecting from the collection sewer service and reconnecting to a public sewer.
- D) Property Owners #1, #2 & #3 would be responsible for disconnecting the shared service and reconnecting to a public sewer.
- E) Property Owner #3 would be responsible for disconnecting from the collection sewer service and reconnecting to a public sewer.



- F) Property Owners #1, #2 & #3 would be responsible for disconnecting the shared service and reconnecting to a public sewer.
- G) Property Owner #4 would be solely responsible for repairs to the sewer service.
- H) Public Sewer would be the responsibility of the City.

*Adopted January 19, 2010*

## **Parks and Recreation Department Policies**

### **Roadside Trail Development Policy**

Where trails will double as sidewalks as per the City Parks and Trails Master Plan along designated Green Streets or where Roadside Trails are designated, the developer, prior to or at the time adjacent houses are constructed, shall install an 8 ft or 10 ft wide concrete trail (whichever is required) instead of 4 ft wide, with the city paying the width difference greater than 4 ft.

Installation: must follow city specifications

Maintenance: 50% owner-50% city (8 ft wide), 40% owner-60% city (10 ft wide)  
The city will determine when a repair or replacement is needed, notify the property owner and hire a contractor to perform the work. The city shall pay the contractor and bill the property owner for 40% or 50% of the cost, depending on the trail width.

Snow Removal: The property owner shall be responsible for snow removal to a width of 4 feet.

*Adopted by City Council on September 9, 2006.*

## **Public Safety Policies**

### **Animal Control**

The purpose of this policy is to aid the general public in dealing with problems that result from the intrusion of wild animals into residential and commercial areas.

The city council authorizes the City Manager, or his designee, to pay the costs for wild animal control occurring in the city limits on either public or private property under the following conditions:

1. The contractor is required to be experienced in the capture and handling of wild animals.
2. The fee is based on a per animal basis.
3. The property owner is responsible for arranging the work with the contractor
4. The contractor provides the city a per animal quote and, where applicable, other anticipated cost information, prior to engaging work on behalf of the customer
5. The contractor provides the city an invoice for 50% of the cost complete with the name and address of the customer and a description of the wild animals captured
6. Fees are reimbursed only after the wild animal(s) is/are successfully captured.

The following implementation guidelines apply to this policy:

1. Wild animals include, but are not limited to skunks, raccoons, opossums, and squirrels. This policy shall also apply for the capture and prevention of nesting locations for bats. Fees for domestic animal control shall not be authorized.
2. Payments for the city's share shall be made solely to the contractor and not to the property owner.
3. No contractor shall be reimbursed for the capture of more than 6 animals from work at a single property within any 90-day period.
4. The maximum reimbursement amount set for skunks, raccoons, opossums, and squirrels is:

1 animal	\$20
Multiple animals at 1 trapping	\$15 each
5. The maximum amount of bat nuisance abatement and prevention shall be \$200 for each individual claim.

*Adopted by City Council on August 1, 1994; amended March 20, 2006.*

## Storm Watch & Warnings

During periods of potentially dangerous weather conditions, the Indianola Fire Department (IFD) will place the members on alert, or may place them into active duty as storm spotters.

Storm Watch – When conditions are favorable for more potentially dangerous weather conditions to occur. Simply stated, a watch is less dangerous. IFD personnel response is optional\*. If responding, do NOT use blue warning lights. (\*Duty Officer may request full response during storm watch.)

Storm Warning – When conditions are likely for dangerous weather conditions to occur. These can take the form of high winds, (up to and including tornadoes), dangerous lightning, intense rain, or snow and ice storms. Simply stated, severe weather will likely affect operations and require assistance. IFD personnel should respond to the station for assignment. Use of blue lights is authorized.

Due to the nature of storm warnings, the families of IFD personnel are allowed to respond to the station. Once there, they shall go to the basement of City Hall. The family members cannot be allowed to loiter on the apparatus floor, station bays, offices or day room.

If orders are given to place apparatus on storm watch, firefighters will respond in protective clothing.

The Duty Officer will determine the likely storm path and assign apparatus to areas of the City for maximum storm observation. Examples of apparatus placement might likely be:

West	South “Y” Street near Farm Service, Inc.
South	17 <sup>th</sup> Street at the crest of the hill
North	1200 block of Hayes Street.

Apparatus will generally stay within a 2-mile radius of the city limits unless otherwise directed by the Duty Officer.

The Duty Officer will determine when the storm sirens will be activated and any other procedures necessary to help ensure the safety of the public. The following criteria for activating the storm sirens shall be followed:

1. Storm sirens shall be activated when the National Weather Service has issued a tornado warning for the Indianola area.
2. Storm sirens shall be activated when the Duty Officer has a report from an authorized spotter of weather conditions that could be concern for the public’s safety.

*Adopted by City Council on November 17, 1997; amended August 4, 2008.*

## EMS Billing Write off Policy and Payment Plan

**PURPOSE:** This policy provides guidance when EMS bills will be written off or payment plan imposed

### **POLICY:**

1. The City of Indianola Fire Department shall bill all patients through its contracted vendor, in accordance with local, state and federal (including Medicare and Medicaid) business billing and collection laws and practices.
2. The department and contractor shall monitor due and unpaid bills and issue a written monthly report on all delinquent accounts 90 days or greater to the Finance Director and Fire Chief outlining:
  - Financially responsible party
  - Total amount due/delinquent
  - Original date of service
  - Billing history
3. The Finance Director and Fire Chief collectively will take one of the three following actions related to delinquent accounts:
  - Authorize the bill to be forwarded to Iowa State Income Offset Program
  - Authorize the Billing Contractor continue efforts
  - Recommend the account be written off
4. Authority to write off delinquent accounts will be retained by the Indianola City Council as recommended by the Finance Director and Fire Chief. Write-offs may be based on (but not limited to):
  - Inability to locate financially responsible party (mail skip)
  - Deceased with no remaining assets
  - Balance on insurance companies that we are required to accept the assigned amount (Examples-Medicare, Medicaid, Medicare Railroad, Medicare HMO's, Tricare/Champus)
  - Anyone that submits notice of bankruptcy
  - Anyone that can provide proof of income and that income falls below 150% of the federal poverty guideline that are set each year.
  - Small balance write-off, any balance below \$20.00
5. Payment Plans  
*Use the IMX Standard Process*
  - If the patient is unable to pay the balance in full, then they may participate in a standard payment plan.
  - The patient's balance is divided equally into 6 or less monthly payments
  - Payments in the amount agreed upon must be received on time (every 30 days) to remain on the payment plan.
  - If the patient does not comply with the agreed upon payment plan, they will be dropped from the payment plan and continue through the collection process up to being turned over to Iowa Income Offset Program once applicable.
6. Deceased Patients
  - Charges for DOA's should be billed to insurance only. Patients and/or family members should not be billed for copays/coinsurance/deductibles or non-covered charges. All balances not paid by insurance should be written off.

*Adopted on July 2, 2018*

## **STREETS, ALLEYS, AND PARKING LOTS**

### **Addresses on Street Curbs**

Establishes a policy, which permits house numbers to be painted on street curbs at the residents' option and expense.

*Adopted by City Council on August 5, 1985.*

### **Alleys and Streets – Sale Of**

Whereas the City Council of the City of Indianola, Iowa is desirous of setting a consistent and uniform policy in the pricing of streets and alleys offered for sale, the following be adopted as the policy of the City Council of the City of Indianola relative to the sale of streets and alleys:

1. It shall be Council policy that before a request to vacate and sell an alley be presented to the Council, that all the adjacent property owners and the property owners that abut the extension of the proposed vacated alley prior to the alley crossing a designated city street, must sign that they are in agreement on the sale of the alley and the division thereof. All other property owners within the block shall be notified.
2. That such utility easements be retained over any street or alley sold by the City of Indianola as the City Manager may, in his opinion, determine as advisable and reasonably necessary under the existing circumstances.
3. That the standard price of \$200.00 for an entire alley one-half block in length be set for each portion of an alley sold except for areas within two blocks of the city square or one block of 65/69 and 92 where a price of \$400.00 for an entire alley one-half block in length is hereby set.
4. That it be adopted as a standard general policy that alleys be divided between the lots which are adjacent to it, and that parties owning the adjacent lots be notified in the event that an alley is going to be sold.
5. That a price of \$500.00 for a street one-half block in length is hereby set.
6. That the purpose of this policy is to set a minimum, and in effect a standard price for alleys and streets offered for sale by the City of Indianola, Iowa. It is not, however, the intent of this policy statement to set a maximum price in the event that on a Notice of Sale there is more than one interested buyer and said parties are willing to bid against each other in excess of the price set by this policy statement. In the event that more than one party is interested, the street or alley shall be sold to the highest bidder as provided by law.
7. The purchaser shall, in addition to the prices set forth above, pay the necessary publication costs and legal fees incurred incidental to the sale.
8. Prospective purchasers shall deposit the amount of their bid with the City Clerk at the time of their request, which deposit shall be refunded in the event the sale is not approved by the Council.

*Adopted by City Council on October 19, 1981.*

## **Alley Policy**

The City Council recognizes it is of mutual interest to property owners and the City to vacate and sell unused alleys to property owners. The Council from time to time may allow property owners to obtain unused or low-use alleys from the City for a purchase price of \$1.00 plus costs which shall include but are not limited to publication, attorney, recording and survey fees. Alleys sold by the City must be unused or low use and have unanimous approval of property owners abutting the alley to be sold.

*Adopted by City Council on May 18, 1987; amended August 4, 2008.*

## **Alleys – Hard Surfacing**

The City will pay one-third the cost of constructing a hard-surfaced alley. All in-kind service and/or labor by the City will not be included in the City's 1/3 allocation. In order for the City to participate in the construction, the alley will be constructed in accordance with City specifications.

*Adopted by City Council on April 3, 1981.*

## **Alley Maintenance**

### Hard-Surfaced Alleys

The City of Indianola will provide maintenance on hard-surfaced alleys. This includes, but is not limited to, patching holes, plowing snow and sweeping the alleys. Major maintenance is not included as part of this policy and the cost incurred in such a project may be assessed to property owners.

Major maintenance of hard-surfaced alleys shall be defined but not restrictedly limited to asphalt or concrete overlays over large sections of the hard surface or reconstructing a large section of the hard-surfaced alley.

Exception: The above section shall not apply to the alleys within one block of the square. For these alleys, given their commercial and therefore public use, the mayor and council may opt to improve them at the city's expense. Improvement for this section shall only include asphalt overlays.

## **Rocked Alleys**

The City of Indianola will grade and plow snow on rocked surfaced alleys upon request. Additional rock will be added on a minimal basis to existing maintained rocked alleys or future constructed rocked alleys. This rocking by the City is not to be construed to construct or reconstruct non-surfaced alleys but only to maintain rocked surfaced alleys. Any cost incurred for construction or major reconstruction of rocked alleys should be borne by the property owners.

Major construction or reconstruction of rocked alleys shall be defined but not strictly limited to the addition of rock or other road building materials on a major portion of an alley or removing old material and replacing it with rock or other road building materials.

If a dispute between property owners occurs due to the City's maintenance of an alley, the City reserves the right to ask the person who requested the maintenance to obtain signatures of the majority of the abutting property owners on the alley and/or the majority of ownership, per running foot, on the alley before the City will continue to maintain the alley.

*Adopted by City Council on April 3, 1981.*

## **Dirt Alleys**

Dirt traveled alleys will be graded and snow plowed upon request. Rock or other road building materials will not be added to dirt alleys by the City.

If a dispute between property owners occurs due to the City's grading of an alley, the City reserves the right to ask the person who requested the grading to obtain signatures of the majority of the abutting property owners on the alley and/or the majority of ownership, per running foot, on the alley before the City will continue to grade the alley.

*Adopted by City Council on April 3, 1981.*



### **Calcium Chloride (Dust Control)**

The City will pay for one application of calcium chloride (dust control).

*Adopted by City Council on April 16, 2001.*

## **Parking Lot Maintenance**

City policy on maintaining parking lots is that the City owned or properly leased parking lots shall be surfaced and maintained, as needed under the supervision of the City Manager.

*Adopted by City Council on August 1, 1977.*

## Policy for Banners in the Public Right-of-Way

Applicability Any banners erected in the public right-of-way in the City of Indianola shall adhere to this established policy. This policy does not apply to banners that are not in the public right-of-way. The Sign Regulations of the Zoning Ordinance shall apply for such banners.

Application Form Applicants for banners in the public right-of-way shall use the Banner application form available at the Community Development Department located at 110 North 1<sup>st</sup> Street. Banner design, including color depiction, exact dimensions, content, colors, locations, duration of event, applicant information and insurance shall be required as part of any banner permit application.

<u>Banner Zones and Number of Poles</u>	<u># of Poles</u>	<u>Minimum # of Banners</u>
Zone 1 – North Buxton from Ashland to West Clinton West Ashland from Buxton to North C Street	13	10
Zone 2 – North Howard from Ashland to East Clinton East Ashland from North Howard to Hwy 65/69	10	8
Zone 3 – South Buxton from Salem to Hwy 92 West Salem from Buxton to South C Street	11	9
Zone 4 – East Salem from South Howard to Hwy 65/69 South Howard from Salem to Hwy 92	11	9
Zone 5 – Square/downtown area	28	20
Zone 6 – Highway 65/69 – Number and location approved by City Council.		
Zone 7 – Highway 92 – Number and location approved by City Council.		

Other Zones Applicants for banner locations outside the banner zones listed above will be considered on an individual basis after review and recommendation by city staff and the approval of the City Council.

Application Fee A \$25.00 application fee plus \$2.00 per banner is required for those banners installed within Zones 1 – 2 – 3 – 4 and Private Non-Profit banners located in any zone. The Community Development Director shall waive the fee if no sponsorship is placed on the banner.

Number of Banners Minimum number of metal light poles as listed in each zone must have the same banner and the banners must utilize the minimum number of banners listed for the zone in which they are installed. No more than one banner per pole. \*Exception: Zones 6 and 7, approval of specific number and location of banners along Highway 65/69 and Highway 92 will be required by City Council.

Minimum number of banners must be distributed uniformly within the zone.

Banner Construction Pole banners must not be larger than 30”x 94” and should be made out of a canvas or nylon material. Supports shall match existing pole color unless otherwise approved.

<u>Banner Installation</u>	All hardware used to support each banner shall be approved and installed by Indianola Municipal Utilities. All costs associated with the installation and removal shall be the responsibility of the applicant. Permit holder is responsible for coordinating installation and removal of banners with Indianola Municipal Utilities.
<u>Length of Use by Type of Banner</u>	<p>Business or Institution: Allowed in Zones 1 – 2 – 3 – 4 (company anniversary event, college welcoming, etc.) 3-month maximum per calendar year per banner with at least 30 days separating such 3-month periods .</p> <p><i>Community Wide Event: Allowed in ALL Zones</i> (seasons, holiday shopping, etc.) 3 months maximum per calendar year per banner with at least 30 days separating such 3-month periods.</p> <p><i>Community Special Event: Allowed in ALL Zones</i> (The National Balloon events, Log Cabin days, Dickens, etc.) One month maximum prior to each event. Banner must be removed within 7 days after event.</p> <p><i>Private Non-Profit Special Event: Allowed in ALL Zones</i> (The National Balloon Classic, Opera Festival and similar events) One month maximum prior to each event. Banners must be removed within 7 days after event.</p>
<u>Insurance</u>	Permit applicant must file proof of insurance and must sign a hold harmless agreement. These documents must be submitted before sign permit application for banners in public right-of-way will be approved.
<u>Maintenance of</u>	<p>Upon receipt of any call regarding problems with banners, corrective action <u>Banners</u> within 24 hours of notification to the banner sponsor's contact person will be required. The City of Indianola reserves the right to immediately have the banner removed and revoke the banner permit. Any cost for the removal of banners by IMU will be charged to the organization holding the permit.</p> <p><b><i>In all cases, the applicant is responsible for cost of installation and maintenance of the banners.</i></b></p>
<u>Administration</u>	These policies and procedures are administered by the Community Development Director.
<u>Banner Reservations</u>	Banner space will be allocated on a first-come, first-served basis, with conflicts resolved according to the prioritization standards.
<u>Prioritization</u>	<p>(1) Decorative non-event specific</p> <p>(2) Major Multi-day events with community involvement.</p> <p>(3) Community promotions and events.</p>
<u>Banner Content and Design</u>	<p>The content and design must comply with the following:</p> <p>(1) Celebrates and/or promotes the Indianola community or is event specific.</p> <p>(2) Be non-offensive.</p> <p>(3) Sponsorship recognition will be allowed in the bottom 15%. In Zones 1 – 2 – 3 – 4 ONLY.</p> <p>(4) Banner design must be submitted to the Community Development Director for compliance with above criteria.</p>

Availability

Open to all citizens of Indianola, to established institutional or non-profit organizations (example churches, colleges, etc.) within the community and to Indianola organizations carrying out events within the community. The foregoing requirements and guidelines must be followed by all banner users. Corporate banners recognizing company anniversary events or special recognition may be permitted subject to all the above design and location criteria.

Exemption

The City Council may approve any banner design, content or location for a person not to exceed 1 year.

*Adopted by City Council on February 18, 2003; amended June 2, 2003; amended August 4, 2008.*

## **Sidewalk Agreements**

Staff has the authority to enter into sidewalk agreements with square businesses, which will include the following:

- Hold harmless agreement
- City as a “name insured” on a \$1,000,000 (where no liquor license is involved)
- 50 cents per square foot of occupied space
- Term agreed to annually

Any agreements that are “outside” the conditions above will be brought to council for consideration.

*Adopted by City Council on June 21, 2004.*

## **Snow and Ice Removal Policy**

### **SNOW AND ICE REMOVAL CITY OF INDIANOLA**

#### **POLICY**

The purpose of this policy is meant to provide general guidelines for snow and ice removal operations. Due to unpredictability of weather events, this policy provides for modifications to be made in the field by the Street Superintendent or designated person in charge in an effort to best serve the community and meet the intent of this policy. This policy will be presented to the City Council annually in September for update, review, and approval.

The City of Indianola does not utilize a “Bare Pavement” snow/ice removal policy. This policy does not guarantee that streets, sidewalks, parking areas, trails or other public property will be free of snow and ice after execution of the Snow and Ice Removal Policy and Procedure Manual. Bare, dry pavement should not be expected and will not always be provided. This plan attempts to maintain an adequate driving surface for properly equipped vehicles and drivers prepared for winter driving conditions, and to provide pedestrians with safe routes of travel.

#### **IOWA WEATHER CONDITIONS**

The average annual snowfall in Indianola is 27 inches per year. We anticipate 15 snowfall or ice events per year, which requires action on part of the City for removal or control.

The overall budgetary and planning goal for our snow and ice removal efforts is: plan for the worst, hope for the best, budget for an average snowfall, and use contingency funds if we have a severe winter.

#### **NOTIFICATION OF WINTER WEATHER EVENTS**

The City of Indianola does not employ the services of a private weather forecasting service. Street Department staff will monitor commercially available web based forecasts (i.e. Weather Underground, Weather.com), government forecast information (National Weather Service, Iowa State University Meteogram Generator), Iowa DOT Road Conditions, and local television news forecasts (KCCI, WHO, WOI). The Street Superintendent will attempt to keep all other City departments informed of the potential winter weather event beginning around 48 hours in advance of the event. Past experience has shown forecasting farther out than 48 hours is extremely variable. Information is typically emailed out with timing of the storm and anticipated response from City Crews. The City will use all of this information to formulate a response to impending winter weather. The timing, duration, and temperatures involved in a winter weather event will dictate the scope of the response from the City of Indianola. When weather conditions constitute snow removal and/or ice mediation activities, the City of Indianola Streets Department, City Manager’s Office, and the Indianola Police Department shall notify and alert citizens of these efforts. Notification to the public is sent through a press release or email to the local media outlets, the City of Indianola web page is updated, and social media sites controlled and operated by the City, the City Clerk’s office, and Indianola Police Department will be updated.

#### **USE OF CHEMICALS AND ABRASIVES (SALT AND SAND)**

The policy of the department is to use salt or salt/sand mix for melting of ice and hard packed snow. A 2:1 sand/salt mix will be utilized in a majority of circumstances. Salt is used only when it can be effectively

applied or extreme conditions warrant. As a rule, it will not be applied when temperatures are below 20°F and falling due to the ineffectiveness negated by refreezing or roadway surfaces.

Locally available screened/washed sand is used as an abrasive to help remove ice and hard packed snow and as a driving aid during slippery conditions.

### **EQUIPMENT AVAILABLE**

The primary equipment available to remove snow and ice will be supplied by the City Street Department. List of equipment can be seen in Exhibit 1 of the Appendix to this document.

During normal snow removal operations, 6 truck plows, 1 road grader, 1 wheel loader, 1 skid loader, and 2 pickup trucks are available.

All truck-mounted snowplows have quick attachments and can be mounted in 15 minutes or less.

All plow trucks are also equipped with sanders for salt/salt applications.

### **MANPOWER AVAILABLE**

The primary manpower for snow removal shall be supplied by the City Street Department. The manpower consists of 1 Street Superintendent, 2 Heavy Equipment Operators, 2 Medium Equipment Operators, 2 Light Equipment Operator, and 3 On-Call Seasonal Employee.

For normal snow events, the Street Superintendent shall determine hours of operations, as conditions direct. The City Manager and Police Chief shall be notified of anticipated operating hours. Personnel from other City and Indianola Municipal Utility Departments may be utilized in certain prolonged events.

### **MONITORING AND NOTIFICATION OF ICE/SNOW EVENTS**

The Police Department and the Street Superintendent, when inclement weather is approaching, shall continuously monitor weather reports. The Police Chief, Street Superintendent, and City Manager shall keep each other informed of anticipated snow events, including timing and intensity of the event. The primary responsibility shall rest with the Street Superintendent.

During nighttime, weekends and holidays the Police Department shall monitor weather reports and road conditions and notify the Street Superintendent or appropriate Street Department personnel when potential action is needed by the City Street Department.

### **SANDING/SALTING PROCEDURES**

Sand and salt shall be used sparingly and only when application will produce a positive result. During certain weather events priority will be given to dangerous intersections, hills, city owned and controlled parking lots, and other hazardous areas will be sanded or salted. The Street Superintendent shall authorize the use of salt/sand mix, straight salt, and/or straight sand but the route driver will be responsible for the application along his/her route as need arises.



## **SNOW ORDINANCE/ TOWING VEHICLES ILLEGALLY PARKED**

The City of Indianola Code of Ordinances Chapter 69, Sections 10 and 11 serve as referenced Code for this Policy Manual (Exhibit 3). The purpose of the snow ordinance is to allow for safe and efficient snow removal operations on snow routes throughout the City. If forecasts indicate that two inches of snow or more is probable the City of Indianola may begin proactive notification that the snow ordinance will go into effect. It will be the City's goal to time the commencement of the snow ordinance to minimize the inconvenience on the public; however, the timing of the beginning of the ordinance will be dictated by the winter weather event. Vehicles parked on the streets during a snow removal effort may be ticketed and/or towed to allow for safe and efficient plow operations.

Depending upon severity of winter event, the Street Superintendent (or designated department representative) will communicate with the Police Chief and the City Manager as to timing of plowing and snow hauling activities. In extreme weather occurrences or sustained weather events, trucks may only be plowing on select arterial and collector streets in order to maintain passable conditions for emergency vehicles.

## **SNOW REMOVAL PROCEDURES**

Snowfalls less than 2 (two) inches will not be plowed from streets unless drifting is occurring. Accumulation of snow on or drifting of streets may dictate variations in snowplowing activity.

Snow removal efforts shall be made on a priority system as follows:

### **Public Facilities/ Downtown Square**

Cleared within 12-24 hours of end of snow event by City Street Department. Hauling of snow, where necessary, will occur when deemed practical and necessary.

### **Arterial and Collector Streets**

Cleared within 12-24 hours of end of snow event by City Street Department.

### **Residential Streets**

Cleared within 12-24 hours of end of snow event by City Street Department.

### **Alleys**

Cleared within 48 hours of end of snow event by City Water Pollution Control

### **Public Parking Lots**

Snow will be plowed in driveways of parking lots and vacant parking spots within 12-24 hours of end of snow event by City Street Department. Hauling of snow, where necessary, will occur when deemed practical and necessary.

### **Sidewalk, City Responsibility and Trail**

Cleared within 48 hours of end of snow event by City Parks Department

- Due to route efficiency, intermingling of types of streets, and changes in priority due to unforeseen events, the aforementioned areas are not necessarily plowed in the order that they are presented in this document.

## **BOUNDARY STREET JURISDICTION-RESPONSIBILITY**

The City of Indianola will not be responsible for any snow removal outside our municipal boundaries except on roads with 28E agreements in place in cooperation with Warren County. The map in Exhibit 4 of the Appendix will show Warren County/ City of Indianola responsibilities per the 28E agreement.

## **SIDEWALKS – PRIVATE RESPONSIBILITY**

All sidewalks adjacent to private property are the responsibility of the property owner or occupant. All complaint calls shall be routed to the Community Development Department for complaint follow-up and code enforcement. The City Code section concerning private sidewalk snow and ice removal can be found in Exhibit 3 of the Appendix to this document.

A reasonable time period shall be 48 (forty-eight) hours for purposes of enforcement. The City lacks sufficient manpower to clear sidewalks so every effort should be made to convince the property owner to clear the sidewalk of ice and snow.

## **DRIVEWAYS – PRIVATE**

City snowplows will not clear private driveways of snow or ice. Due to the location of driveways and the volume of snow being moved, there will be occasions where the plowing operations may deposit additional snow into private driveways. The removal of snow and ice placed in driveways by city plows is the responsibility of the property owner. Snow or ice from a private driveway or property may not be placed on or pushed across a city street. The City Code section concerning private driveway snow and ice removal can be found in Exhibit 3 of the Appendix to this document. Please notify the Police Department of any violations of the city code.

## **MAILBOXES**

Every attempt will be made by the snowplow operator to clean snow adjacent to mailboxes to allow rural type mail delivery. The snow will only be cleaned, however, from curb line to curb line. The adjacent property owner is responsible for any other snow cleaning and to assure the mailbox is properly installed to withstand snow-clearing efforts by the City. The City will not be responsible for damage to mailboxes unless they were properly constructed and struck by a snowplow. It must be shown that a City plow struck the mailbox or the support structure of the mailbox for the City to be held responsible for any damage. The City will not be responsible for any damage to mailboxes caused by snow and/or ice or the force of snow and/or ice thrown from the plow during plowing operations.

If a complaint is received regarding a mailbox suspected of being hit by a snowplow, an incident report must be filled out by the citizen issuing the complaint. The City will investigate the complaint and notify the citizen of the outcome. If it is determined that the City did hit the mailbox in question, the City will provide the materials and labor necessary to install a 4X4 mailbox post assembly and USPS-approved,

standard-size mailbox. Mailboxes of alternate construction, size, and/or material will have a claim filed by the property owner with the City's insurance company through the Risk Management Department.

## **COMMUNICATIONS**

All snowplow equipment shall keep in radio communication with the Street Superintendent or Heavy Equipment Operators at all times. Check the radio before starting duty. Radio communications by snowplow operators shall be between supervisor and equipment operators.

All communications, whether they are direct, telephone, or radio shall be made in a kind, courteous, and business-like in manner.

The supervisor on duty shall periodically keep the City Manager informed on road conditions and snow removal efforts.

## **CITIZENS COMPLAINTS**

All citizen complaints on the snow removal effort shall be routed to the Street Superintendent. Snowplow operators shall avoid verbal confrontations with citizens. All citizen complaints shall be treated courteously and followed up on promptly. Complaints will be reviewed, debriefed, and responded to. Every attempt will be made to respond to inquiries/complaints within 2 business days during normal business hours. Due to the nature of snow removal operations, citizens are encouraged to use the customer service portal on the City of Indianola website ([www.indianolaiowa.gov](http://www.indianolaiowa.gov)) as a preferred method of reporting.

## **WORK HOURS AND RULES**

Employees will be compensated according to the effective Employee Policy.

## **SAFETY PROCEDURES**

Safety is paramount to any snow event. The sole purpose of the snow/ice removal operation is to make the streets, sidewalks, alleys, and parking lots safe for the motoring and walking public. All snowplow operators shall observe the following safety rules.

Check your snow removal equipment prior to leaving the shop including:

All working lights and emergency lights

Radio

Snowplow and frame for damage

Sander

Rearview mirrors

Flags and reflectors

Windshield wipers

Heater and defroster

Oil and gas levels

Obey all applicable traffic laws.

Report any non-working equipment immediately.

Use reasonable caution in operation of snow removal equipment.

Do not drive too fast.  
Slow down if in cramped quarters with parked cars on a street.  
Know your route and any fixed objects covered by snow.  
Only travel on wrong side of street if another truck is blocking traffic.  
Do not follow cars or other snow removal equipment too closely.  
Slow down prior to turning – your plow will tend to push you where it wants to go.  
Snowplows are emergency equipment, but they still must obey all traffic laws and give right-of-way to other vehicles.  
Notify following truck prior to turning, when plowing in tandem.

## **ACCIDENTS**

Report all accidents immediately to your supervisor and the Police Department. The Police Department will be called to investigate the accident. All procedures for property damage and/or injury shall be followed as outlined in the City Employee Handbook. The Risk Management/ Human Resources is also to be notified.

## **CARE AND USE OF EQUIPMENT**

The snowplow operator is responsible for routine maintenance on his vehicle. Report any maintenance needed to the supervisor on duty. Check vehicle before and after use for any maintenance needed or damage to equipment. The vehicle is to be refueled at the end of duty shift.

During snow removal emergencies snow removal equipment maintenance will take priority over any other city equipment or vehicles, subject to the discretion of the department supervisor.

No towing or pushing of vehicles, other than city vehicles, shall be allowed. No “jump” starting private vehicles shall be allowed. Rides to private citizens, other than city employees shall not be allowed except for emergency purposes only, i.e.: doctors to surgery, nurses needed for surgery, pharmacist for medicine calls, any other rides must be approved by the City Manager.

## **SEVERE STORM & DECLARED EMERGENCY MANAGEMENT**

In the case of severe storms, state, or federally declared disasters as they apply to snow events, and when the City’s emergency operations center is activated, the management of extreme snow emergency incidents will be conducted utilizing the National Incident Management System (NIMS) and Incident Command System (IC). Decisions for this utilization will be based off information provided by local and national weather service predictions and forecasting from the Des Moines office (NOAA).

## **OTHER AREAS OF CONCERN AND ATTENTION**

The City Street Department will assist all other City and Indianola Municipal Utility Departments with needs that arise in snow and ice efforts.

The Indianola YMCA utilizes private contractors for snow removal efforts. The City will provide sanding/salting services and will haul snow piles from the YMCA parking lot when deemed necessary.



## **APPENDIX INDEX**

### **SNOW AND ICE REMOVAL STREET DEPARTMENT CITY OF INDIANOLA**

#### **Exhibits**

1. Equipment Assigned – Street Department
2. Maps of 7 City Snow Routes
3. City Code Sections Referenced within the Policy and Procedure Manual
4. City of Indianola/Warren County Boundary Street Jurisdiction Map

**Exhibit 1****Equipment Assigned – Street Department**

<u>Unit</u>	<u>Year</u>	<u>Make</u>	<u>Function</u>
5	10	Case 621E Wheel Loader	w/bucket/blower/plow
7	18	Freightliner 114SD Tandem Axle	w/plow & sander
9	16	Freightliner 114SD Tandem Axle	w/plow & sander
12	07	International Single Axle	w/plow & sander
21	16	Ford F250	w/plow
22	06	International Single Axle	w/ plow & sander
23	14	International Single Axle	w/ plow & sander
24	14	International Single Axle	w/ plow & sander
27	03	Case Maintainer	w/ plow blade
28	07	International Single Axle	w/ plow & sander
30	10	SnowGo Snow Blower	mounted to Unit 5
	18	Kubota 95-2sv	skidloader

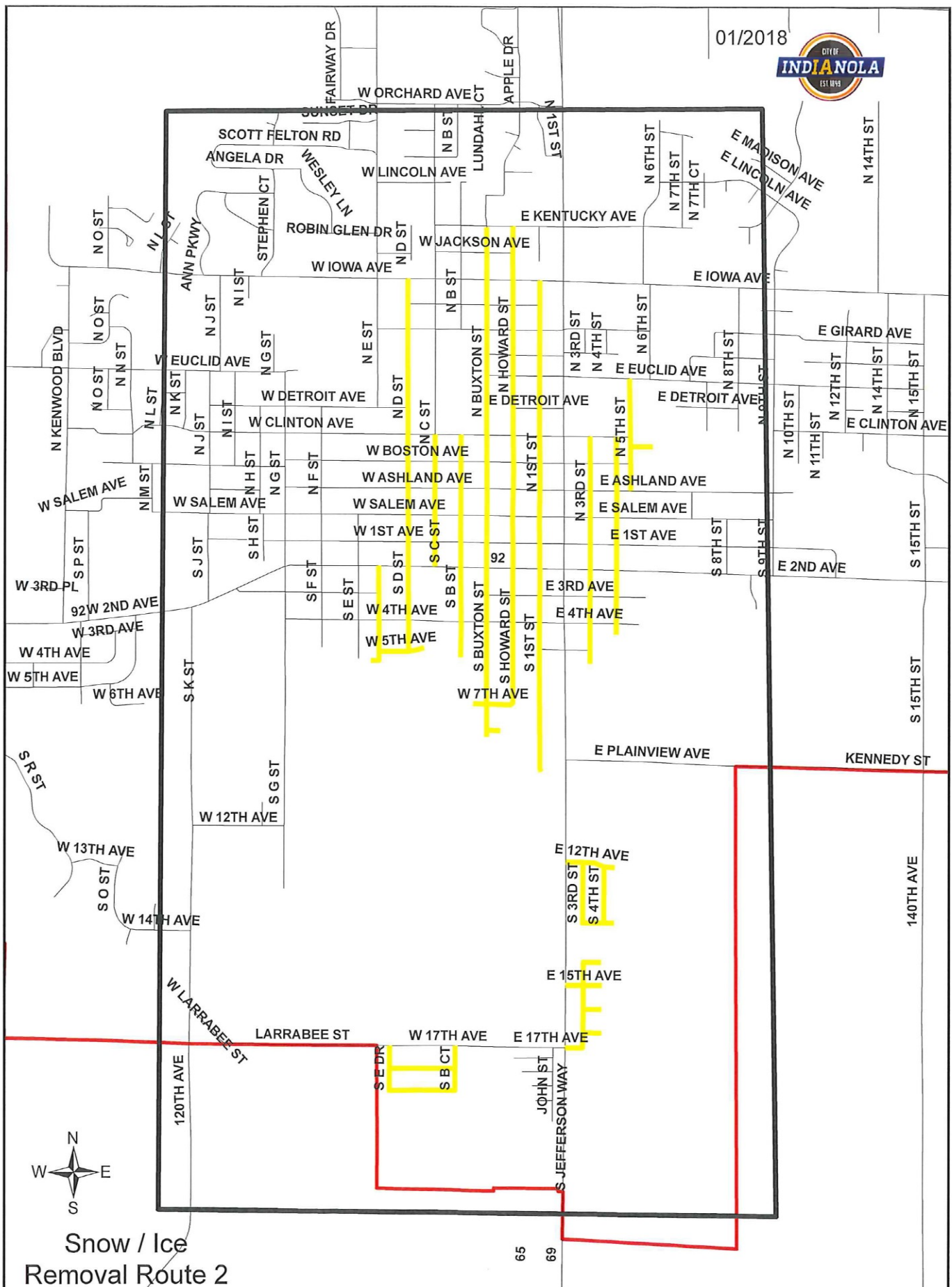
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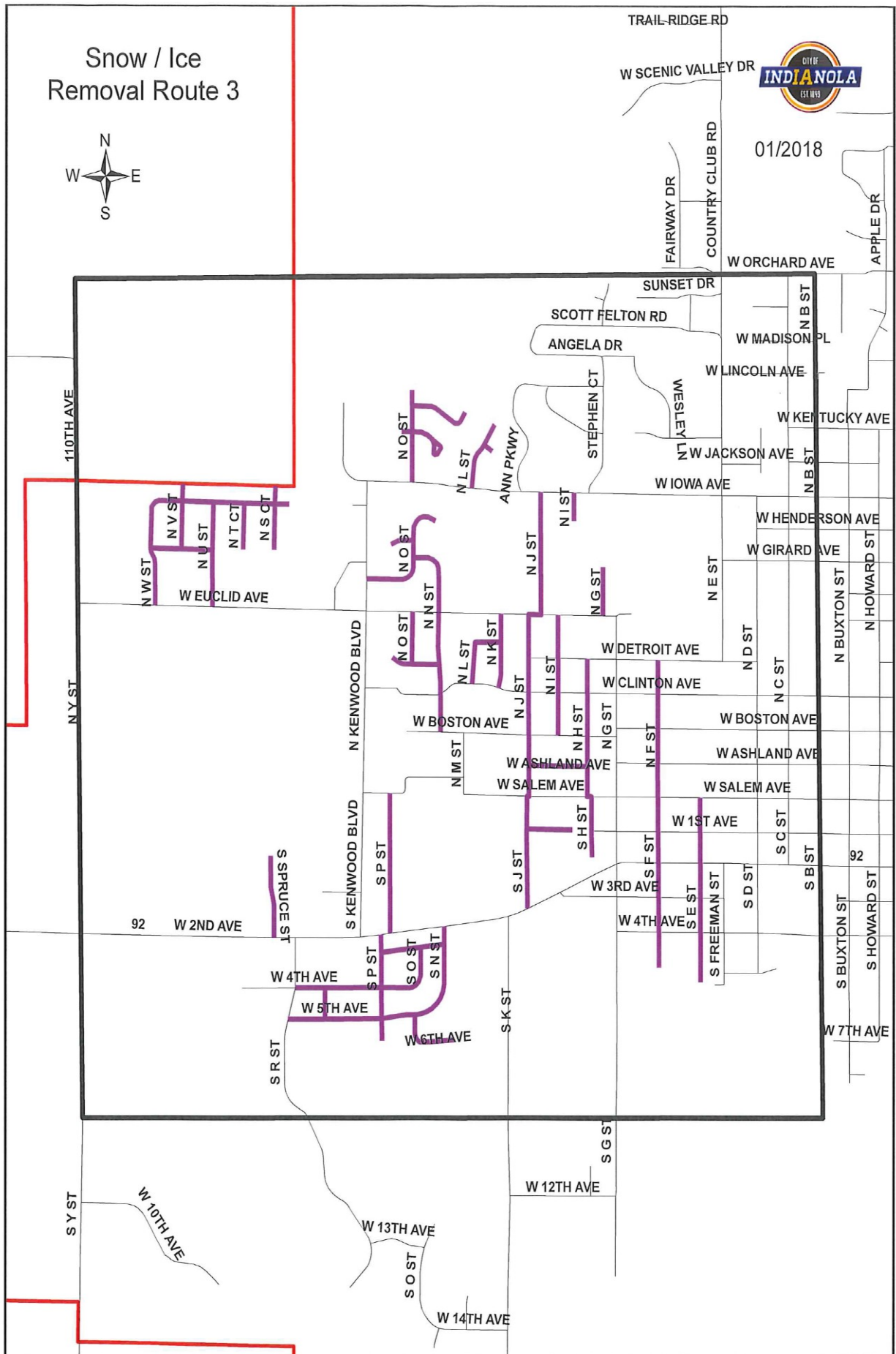
CITY OF  
**INDIANOLA**  
EST. 1849



# Snow / Ice Removal Route 3



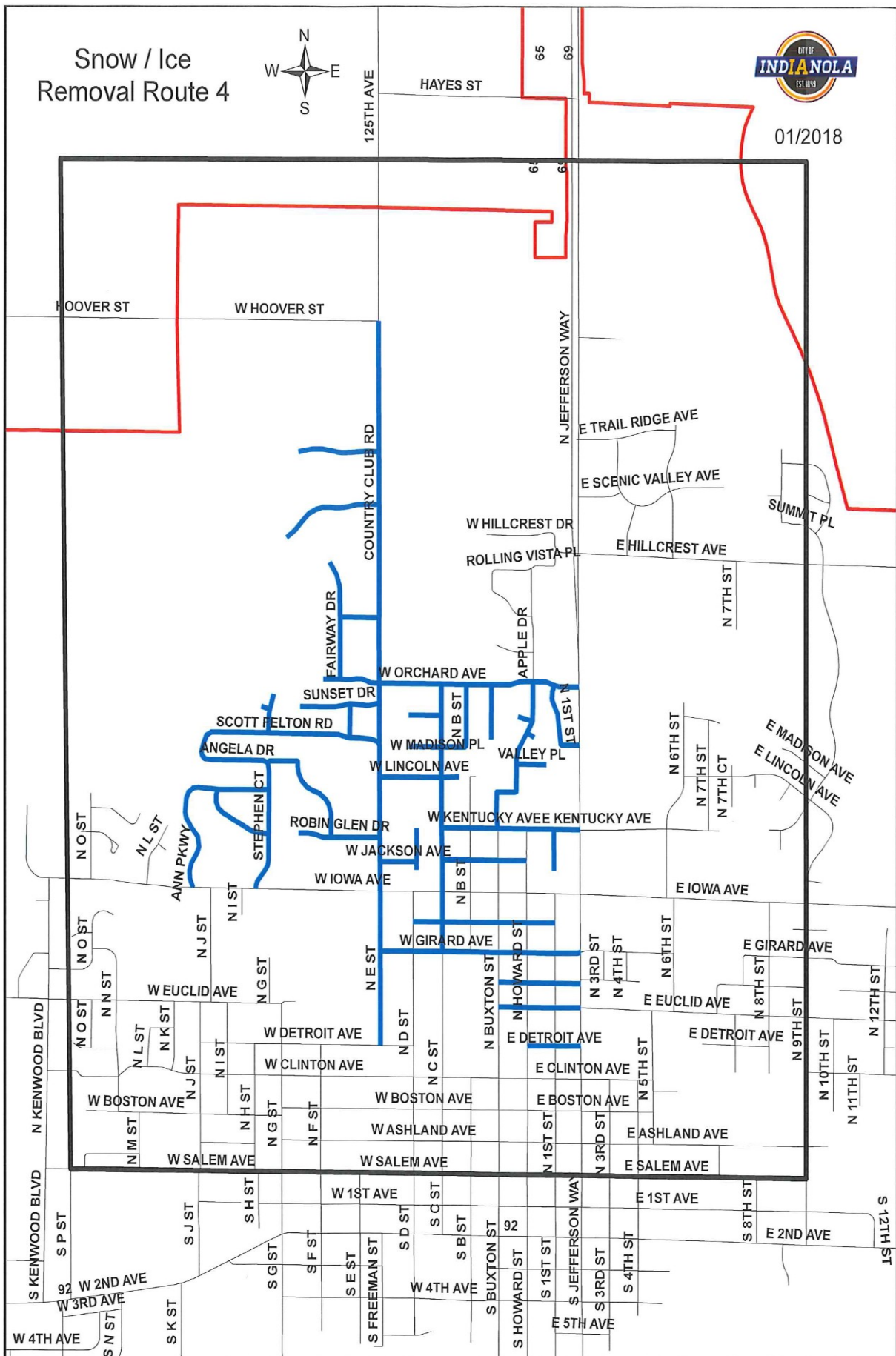
01/2018



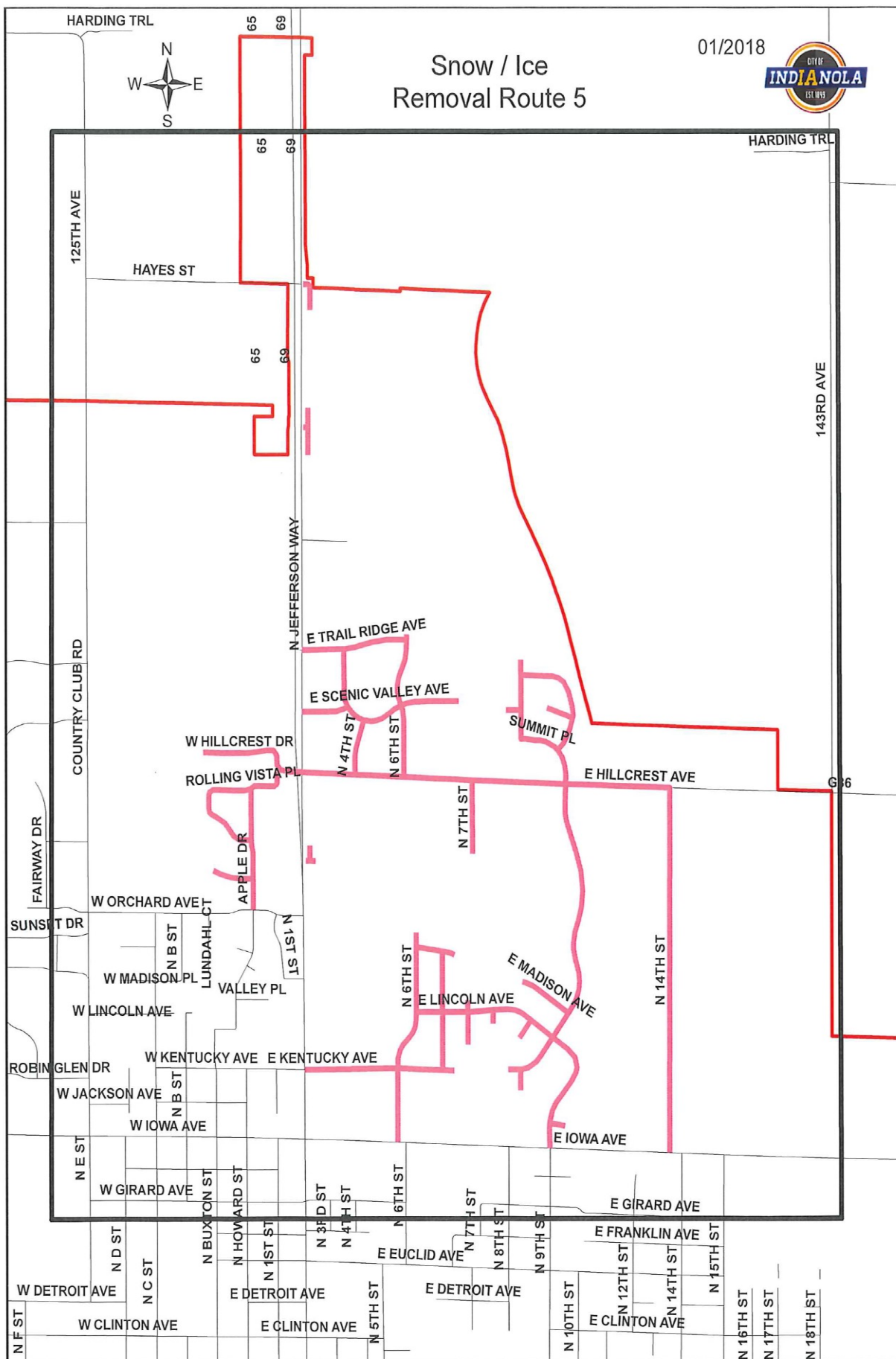
# Snow / Ice Removal Route 4



01/2018

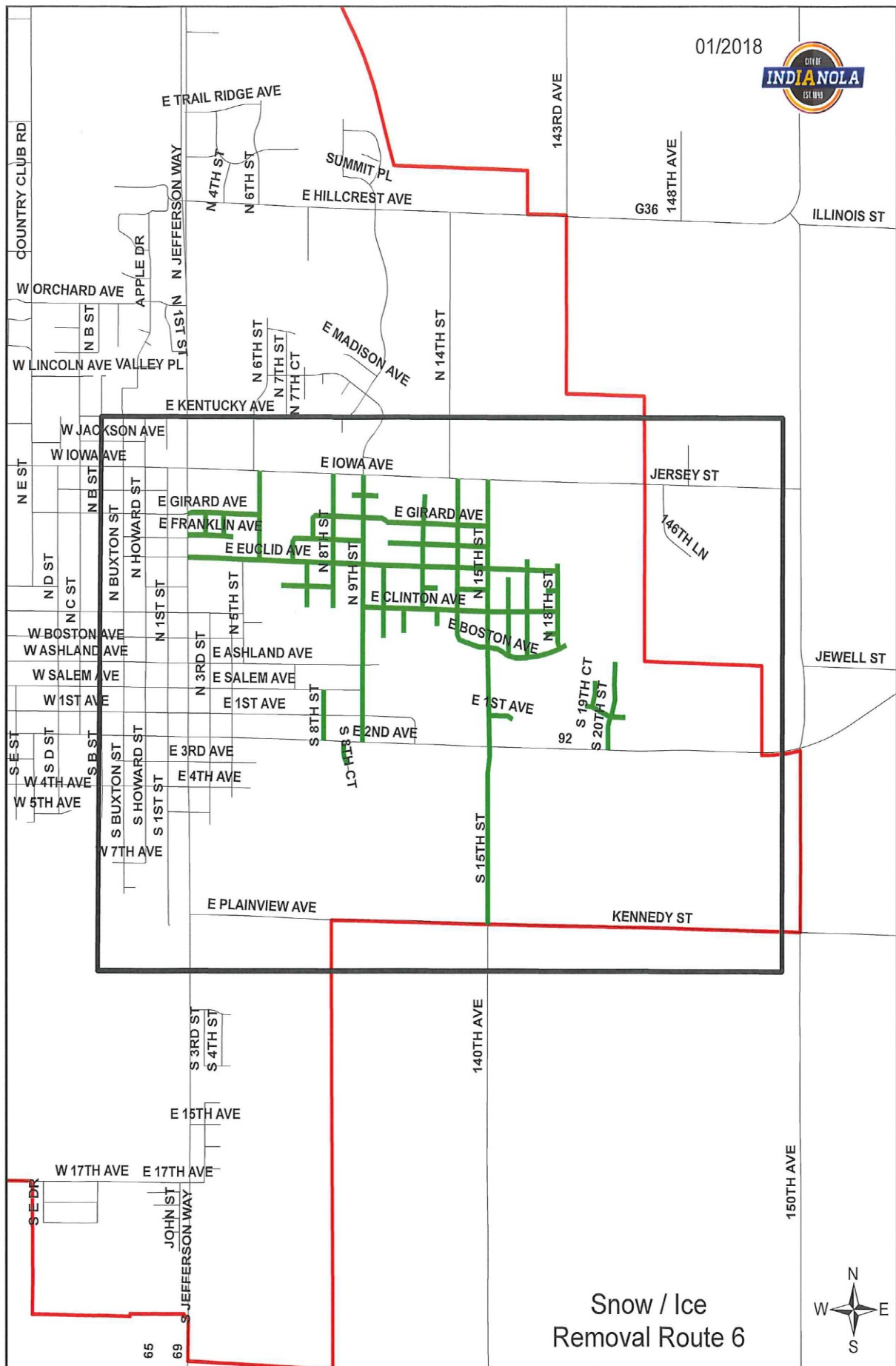






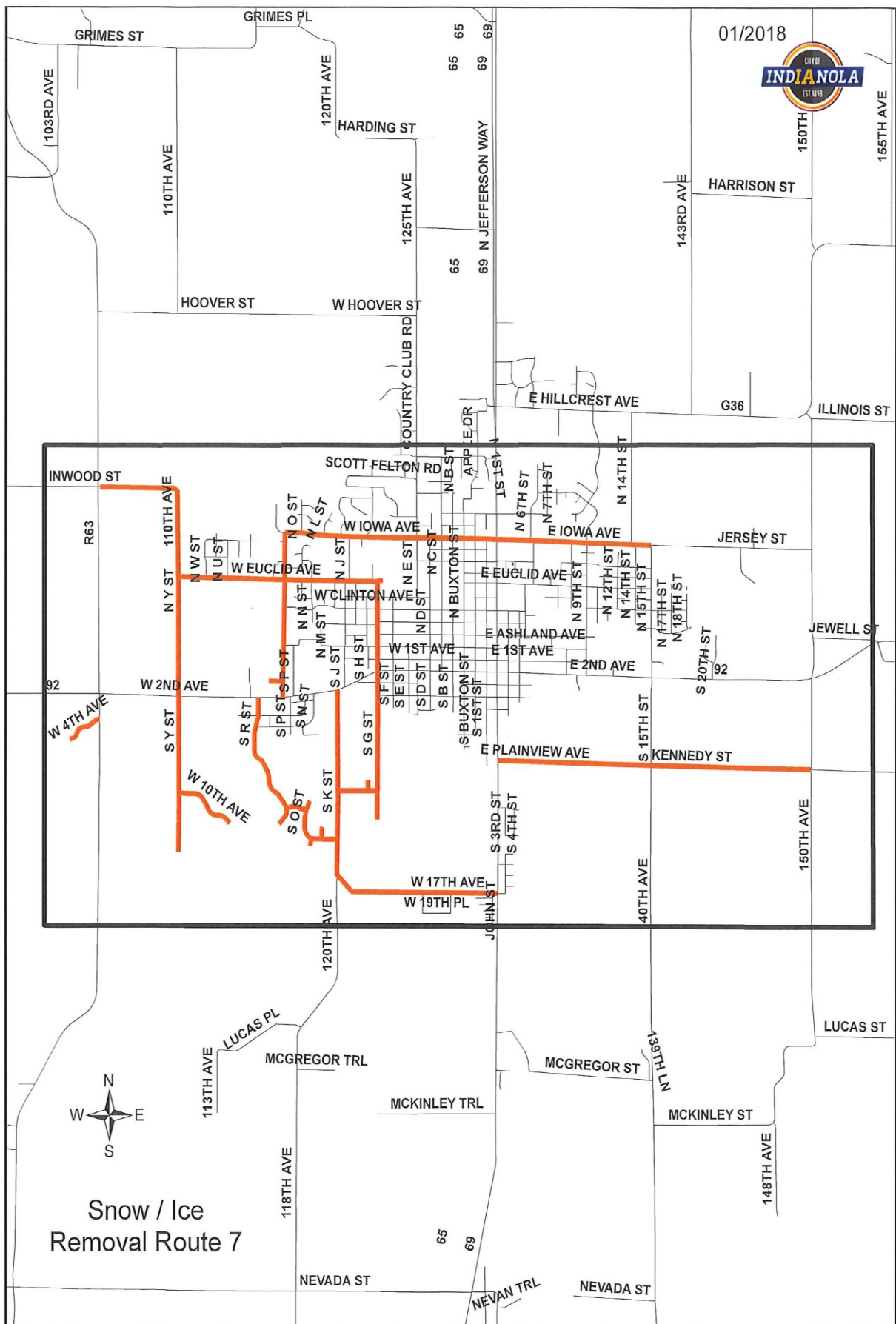


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Snow / Ice  
Removal Route 6





### **Exhibit 3**

#### **City Code Sections Referenced within the Policy and Procedure Manual**

##### **69.10 SNOW EMERGENCY.**

1. No person shall park, abandon or leave unattended any vehicle on any public street, alley or parking areas in the public right-of-way and immediately adjacent to the traveled portion of a street during any snow emergency parking ban unless the snow has been removed or plowed from the street, alley or parking areas in the public right-of-way and immediately adjacent to the traveled portion of a street and the snow has ceased to fall. A snow emergency parking ban shall begin when the National Weather Service predicts that two (2) or more inches of snow or ice will fall in the Indianola area or two (2) or more inches of snow or ice has fallen in the Indianola area, and shall continue through the duration of the snow or ice storm and the forty-eight-hour period after cessation of the storm, except as above provided upon streets which have been fully opened.

2. Such a ban shall be of uniform application, and the Police Chief is directed to widely publicize the requirements, using all available news media, in early November of each year. The emergency shall be extended or shortened when conditions warrant upon proclamation by the City Manager or a designee.

3. The foregoing prohibition shall be modified within the downtown area and near the Simpson College campus as follows:

A. On Howard Street, from Boston Avenue to First Avenue;

B. On Buxton Street, from Boston Avenue to First Avenue;

C. On Ashland Avenue, from First Street to B Street;

D. On Salem Avenue, from First Street to B Street;

E. On B Street, from First Avenue to Boston Avenue;

F. On First Street, from First Avenue to Boston Avenue;

G. On Boston Avenue, from First Street to B Street;

H. On First Avenue, from First Street to B Street;

I. On D Street, from Girard Avenue to Detroit Avenue;

J. On C Street, from Clinton Avenue to Girard Avenue.

K. On Detroit Avenue, from Howard Street to Buxton Street.

4. The foregoing prohibition does not apply to the area described in subsections 3(A) through (H) during normal business hours of 8:00 a.m. to 6:00 p.m. and during evening business hours as defined by the Indianola Chamber of Commerce, and further, during Christmas holiday hours as defined by the Indianola Chamber of Commerce each year. The foregoing prohibition does not apply to the area described in subsections 3(I) through (K) between 8:00 a.m. and 10:00 p.m.

***(Ord. 1288 – Aug. 04 Supp.)***

**69.11 SNOW ROUTES.** The Council may designate certain streets in the City as snow routes. When conditions of snow or ice exist on the traffic surface of a designated snow route, it is unlawful for the driver of a vehicle to impede or block traffic.

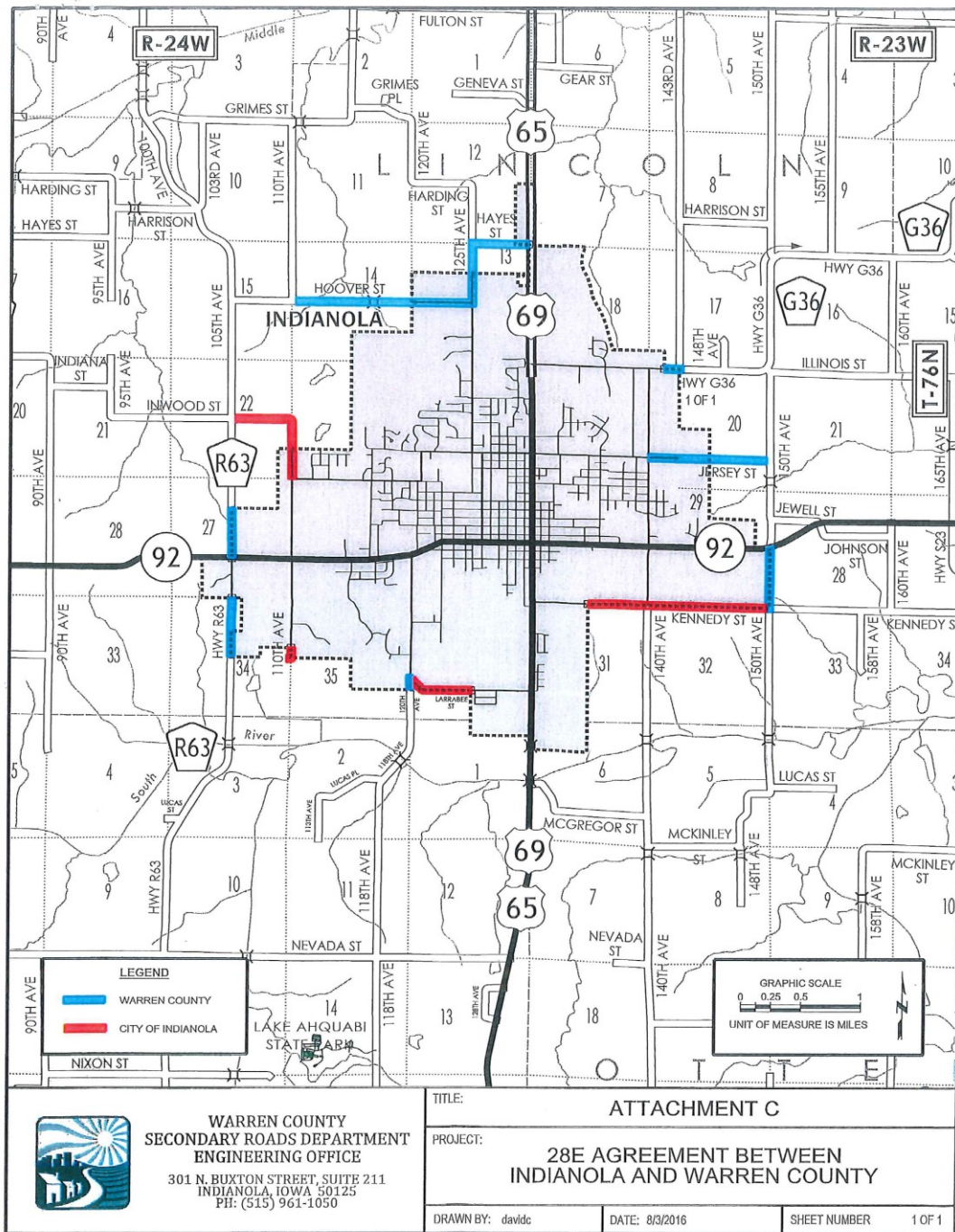
**136.03 REMOVAL OF SNOW, ICE AND ACCUMULATIONS.** It is the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks. If a property owner

does not remove snow, ice or accumulations within a reasonable time, the City may do so and assess the costs against the property owner for collection in the same manner as a property tax. The abutting property owner may be liable for damages caused by the failure of the abutting property owner to use reasonable care in the removal of the snow or ice. If damages are to be awarded under this section against the abutting property owner, the claimant has the burden of proving the amount of the damages. To authorize recovery of more than a nominal amount, facts must exist and be shown by the evidence which afford a reasonable basis for measuring the amount of the claimant's actual damages, and the amount of actual damages shall not be determined by speculation, conjecture or surmise. All legal or equitable defenses are available to the abutting property owner in an action brought pursuant to this section. The City's general duty under this section does not include a duty to remove natural accumulations of snow or ice from the sidewalks. However, when the City is the abutting property owner it has the specific duty of the abutting property owner set forth in this section.

**135.12 DUMPING OF SNOW.** It is unlawful for any person to throw, push, or place or cause to be thrown, pushed or placed, any ice or snow from private property, sidewalks, or driveways onto the traveled way of a street or alley so as to obstruct gutters, or impede the passage of vehicles upon the street or alley or to create a hazardous condition therein; except where, in the cleaning of large commercial drives in the business district it is absolutely necessary to move the snow onto the street or alley temporarily, such accumulation shall be removed promptly by the property owner or agent. Arrangements for the prompt removal of such accumulations shall be made prior to moving the snow.



# **Exhibit 4: City of Indianola/Warren County Boundary Street Jurisdiction Map**



*Adopted March 29, 2018, Amended November 5, 2018, Amended October 7, 2019*

## **Stop Sign & Speed Zone Change Request Policy**

### **Purpose**

To provide for a uniform process for handling citizen requests for installation of new stop/yield signs or changes to speed zones on streets controlled by the City of Indianola.

### **Policy**

Requests for such changes shall be initiated with a citizen request, using the form attached as Exhibit B to the adopting resolution. If a citizen makes a request at a Council meeting, they will be directed to complete the form. The form will be made available online as well as at City Hall. An elected official may also complete the form to initiate a request for review.

Upon receipt of a completed request form, City staff and the City Engineer will conduct any necessary field research to evaluate the request. Requests will be evaluated based on the guidelines of the U.S. DOT's Manual on Uniform Traffic Control Devices (MUTCD).

Efforts will be made toward being efficient in evaluating the request, and the typical timeframe for processing a request should not exceed one month, barring unusual circumstances or the need for more extensive research.

*Adopted by City Council on October 1, 2018*

**Stop Sign or Speed Zone Change Request**

Requesting Party Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Daytime Phone#: \_\_\_\_\_ Evening Phone#: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Request: \_\_\_\_\_ New Stop Sign \_\_\_\_\_ Change in Speed Zone

Location of Issue (please be specific):

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Please briefly describe the reason for your request (attach additional sheets as needed):

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Is this a new situation? Has anything significant changed recently that may have prompted your request?

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Does the issue you have observed seem to occur in any sort of pattern (such as immediately before & after school hours or only late at night)?

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What is your preferred outcome to this request (such as installation of a four-way stop or a reduction in speed limit)?

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When is the best time to contact you? \_\_\_\_\_

What is your preferred method of contact? \_\_\_\_\_

*\*\*\*Your request will be evaluated by the City based on the guidelines of the U.S. DOT's Manual on Uniform Traffic Control Devices. It may take up to a month to review your request and develop a recommendation to the City Council.*

*Adopted by City Council on October 1, 2018*

## **STREET CONSTRUCTION POLICIES**

### **Asphalt Overlays**

The City Council on paved streets shall assess 100% of the overlay project costs. Assessments shall not include: 1) engineering; 2) curb repairs and replacement and; 3) repairs to the street prior to the overlay.

For streets that potentially have an additional 20 years of life based on limited structural deterioration, the engineer shall prepare a cost estimate for rehabilitation. This includes replacement of excessively cracked panels, replacement of deteriorated curbs, placements of asphalt overlays or other repairs necessary to improve the streets appearance to substantially the same standard as required in new subdivisions.

In addition, for those property owners who pay their assessment within 30 days of adoption of the final assessment schedule, no default fee shall be charged.

*Adopted by City Council on May 17, 1993*

### **Concrete Street Replacement**

The following policy shall be used for replacing existing concrete streets. The council's vision centered on minimizing neighborhood deterioration as well as possible segregation of the community into high and low-income housing areas.

Factors for consideration include:

- A. Approximate Age of Original P.C.C. - The basis of a concrete street replacement policy shall be that all streets which reach 70 years of age may be replaced unless engineering investigations show above average performance by the street pavement. Streets that show excessive deterioration before reaching 70 years of age may also be subject to replacement.  
  
The above time line approach will allow the City Council and residents adequate time to plan for the financial impact of a street replacement program.
- B. Arterial/Collector Streets - Arterial and collector streets require a higher level of maintenance since they attract through traffic and are intended to be used more than neighborhood streets. The timing of replacement for these streets will depend on the amount of damage sustained from truck traffic and funding availability from state and federal programs. These streets will be reviewed periodically and property owners will pay a reduced special assessment which is consistent with the ISTEA Street Replacement Policy.
- C. Engineer's Recommendation - Evaluating and rating of streets by an engineer shall include but not be limited to use of core samples for determining thickness and structural strength. In addition, the general condition of the street including curb defects, types and frequency of cracks, formation of potholes, pavement irregularity and lack of storm drainage shall be reviewed. The engineers' recommendation shall be a key factor in street replacement.

*Adopted by City Council on March 6, 1995.*

## **Non-TEA-21 Streets**

The City Council on non-paved streets will assess all eligible construction costs up to 31' B to B to the property owners. The assessment will be based on the benefited area.

Exception: The City Council may at it's option based on undue hardship as a result of the assessment, pay 50% of the paving for streets that are one block in length or less and that lie between two existing concrete paved streets.

On paved (hard surfaced) streets, the City Council will assess 0% of the eligible construction costs up to 25' B to B to residential, commercial, industrial and non-profit organizations.

*Adopted by City Council on January 15, 2001.*

*Amended by City Council on March 5, 2012*

## **TEA-21 Streets**

The City Council on non-paved streets constructed with TEA-21 funds will assess all eligible costs that are not funded by the TEA-21 grant.

For streets that have been previously paved (hard surfaced), the city shall assess 0% of all eligible costs not funded by TEA-21 to the residential, commercial, industrial and non-profit property owners.

*Adopted by City Council on January 15, 2001.*

## **Streets Funded by Alternative Revenue Sources**

On a case by case basis, the City will decide how much each property will be assessed.

## **Sidewalk Installation**

When concrete streets are replaced, sidewalks shall also be installed where none currently exist and the lot is developed. The walks shall be installed as part of the street project.

The cost of material and labor shall be borne by the property owner. However, unique costs related to severe grade, tree and utility removal shall be borne by the city as part of the reconstruction project.

*Adopted by City Council on April 17, 1995.*